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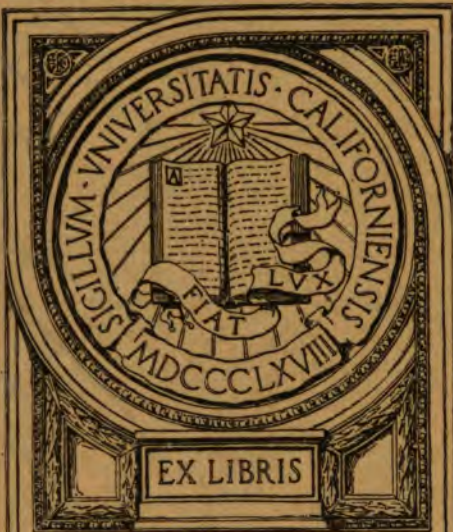


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# INSTRUCTIONS

RELATIVE TO THE

## Duties of Officers and Voters

AS REQUIRED BY

"An Act to Regulate Elections"

(Revision of 1898)

Approved April 4th, 1898

AND THE SUPPLEMENTS THERETO

AND OTHER ACTS CONCERNING ELECTIONS

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COMPILED AND PRINTED

UNDER THE DIRECTION OF THE SECRETARY OF STATE

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The references in the body of this pamphlet are to sections  
of the printed compilation of the Law, issued by  
the Department of State in 1909, the text of  
which is in all cases to be consulted.

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TRENTON, N. J.  
MACCRELLISH & QUIGLEY, STATE PRINTERS.  
1909.

5111  
(Copy.)

STATE OF NEW JERSEY,  
OFFICE OF THE ATTORNEY-GENERAL,

Trenton, N. J., July 17th, 1906.

Hon. Samuel D. Dickinson,  
Secretary of State,  
Trenton, N. J.

Sir—My attention has been called to the confusion that seems to exist by reason of the provisions of Chapter 235 of the Laws of 1906 in reference to holding of primary elections. This act provides: "The first registry day in cities having a population exceeding thirty thousand shall be held on the fourth Tuesday of September in each year." It further provides that the time for holding the primary elections shall be the first registry date. "And in all election districts outside of cities having a population exceeding thirty thousand the said Boards of Registration and Election shall sit for the purpose of this act as primary election boards on the second or fourth Tuesdays of September."

Section 6 of Chapter 258 of the Laws of 1905 requires the Boards of Registry and Election, in all election districts in the State outside of cities having a population exceeding thirty thousand, to meet annually on the second Tuesday in September in each year for registration purposes, and on the second Tuesday of September said board shall meet for holding the primary election in their respective election districts.

While the situation is not plain, I have, after reflection, reached the conclusion that in an election district outside of cities having a population exceeding thirty thousand, the boards must still meet, for the purpose of registering voters, on the second Tuesday of September, as provided in section 6 of Chapter 258 of the Laws of 1905, notwithstanding Chapter 235 of the Laws of 1906.

Very truly yours,

ROBERT H. McCARTER,  
Attorney-General.

# Chronological Index

Of Duties Relating to the Election on November 2d, 1909.

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## Month of June, 1909—

The chairman of the state committee of each of the two largest political parties may nominate two citizens in each county as members of the county board of elections for such county. *Section 13.*

## Month of July, 1909—

Two members of the county board of elections shall be commissioned during this month for each county by the Governor. The board consists of four persons. *Section 13.*

## July 1st, 1909—

It shall be the duty of the chairman of the county committee of each political party to notify the municipal clerk on or before the first day of July of each year of the number of delegates for which the members of the political party represented by the said chairman shall be entitled to vote in each election district in such municipality. *Section 262.*

## August 1st to September 1st, 1909—

Between these dates, in every year wherein electors of President and Vice President, members of the House of Representatives, a Governor, or Senator for any county, or any of them, are to be elected, the Secretary of State shall deliver to the clerk of every county wherein such election is to be held a notice stating that such officer or officers are to be elected at the ensuing election; the clerk of such county shall, within fifteen days after the receipt of the notice, deliver a certified copy of such notice to each township and municipal clerk in his county. *Section 5.* Between the same dates in every county wherein a sheriff, coroner, clerk, register of deeds or surrogate is to be elected, the county clerk shall deliver a notice to each township and municipal clerk in his county that such officer or officers will be elected. *Section 6.*

## August 1st, 1909—

On or before this date the Secretary of State shall provide proper and sufficient canvassing-books, poll-books, register-books, copies of the election laws then in force, a pamphlet of instructions for election

officers and voters, blanks for the official oaths and for election returns for the proper carrying into effect of the provisions of this act, and furnish a sufficient supply of the same to the clerks of the different counties of this State, for use in such counties, at least thirty days before the same shall be required for use; and the said county clerks shall cause the same to be delivered to the different boards of registry and election in their respective counties at such times and in such quantity as will enable the provisions of this act to be fully carried out. *Section 61.*

The term of office of all members of the county board of elections, commissioned in July 1909, will begin August 1st, 1909. The term of office of two expires August 1st, 1910, and two August 1st, 1911. *Section 13.*

**August 1st to 10th, 1909—**

At 10 o'clock A. M., on the first Tuesday of August (August 3d, 1909), or on such other day as they may agree on within the first ten days of August, the county board of elections shall meet at the county court house or other place and organize. *Section 14.* Before entering upon the performance of their duties they shall take and subscribe an official oath or affirmation and forward it to the county clerk. *Section 16.*

**August 11th to 15th, 1909—**

After August 10th, and not later than August 15th, the chairman of the county committee of each of the two largest political parties may nominate members for the board of registry and election for the several election districts of the county, appointments to be made before August 25th in each year. *Section 15.*

**August 16th, 1909—**

If the chairman of the county committee of either of the two largest political parties has neglected to make such nominations as above mentioned, the county board of elections shall, on this date, notify him of such fact, that he may make the nominations on or before August 22d, 1909. *Section 15.*

**August 25th, 1909—**

On or before this date the county board of elections shall appoint the boards of registry and election for the respective districts of the county. *Section 15.*

**August 31st, 1909—**

On this date the boards of registry and election, outside of cities having a population exceeding 30,000, shall meet for organization, and at such meeting shall elect one of its members as judge, who shall be chairman of said board, and another of its members as inspector. *Section 19.*

**September 1st, 1909—**

The terms of office of the members of the district board of registry and election shall begin September 1st of each year, and expire on August 31st of the following year, or when their successors are appointed and qualified. *Section 17.* They shall take the official oath before performing any duty, and forward it to the county clerk. *Section 16.*

**September 6th, 1909—**

On or before this date the boards of registry and election, outside of cities having over 30,000 inhabitants, should have obtained canvassing-books, registry-books, &c., from the county clerk for use on September 7th. On or before this date the county board of elections may meet to fill vacancies in such boards of registry and election. At least twenty days before the primary election, which occurs on September 28th (that is, on or before September 8th), the township and municipal clerks shall have procured suitable rooms in which to make the registry of voters and to hold the primary and general elections, and immediately on procuring such rooms, such clerk shall notify the respective registry and poll clerks or boards of registry and election of the location of such rooms. Inasmuch as section 8 of the election act provides that the clerks of every township, &c., shall procure suitable rooms for the board of registry and election before the first registration day, it follows that the said clerk shall have procured such rooms on or before September 6th. *Sections 8, 266.*

**September 7th, 1909—**

On this date the boards of registry and election, in districts outside of cities having 30,000 inhabitants, have their first meeting, and shall then proceed to make a house-to-house canvass, completing it on or before Friday, September 10th. *Section 23.*

**September 13th, 1909—**

Petitions of nominations for county officers, under the provisions of the direct primary act, must be filed on or before this date. *Section 386.*

**September 14th, 1909—**

On this day each board of registry and election outside of cities having over 30,000 inhabitants shall hold its second meeting, between 1 and 9 o'clock P. M., for transcribing and making up from its canvassing-books two lists of all persons entitled to vote in its election district, who shall personally appear before the board for that purpose, or be shown to its satisfaction, by the affidavit in writing of some voter in the election district, to be a legal voter therein, which lists shall contain the names of the voters in alphabetical order, together with the residences and street numbers, if any. *Section 23.*

On or before this date the county board of elections shall publish notices of the meetings of the boards of registry and election, and of



the primary election on September 28th, in such newspapers, not exceeding six in all, as the said board shall designate. *Section 20.*

**September 15th, 1909—**

Each of the clerks of election shall on this date, outside of cities having over 30,000 inhabitants, post in hand-bill form, in some conspicuous place, a copy of the register made up the day before; as each clerk is required to post a copy, it follows that two copies must be posted. *Section 24.*

**September 18th, 1909—**

On or before this date the poll clerks in each election district shall give notice of the time and place of the primary election by five or more advertisements posted at conspicuous places in the district. *Section 268.*

On or before this date all petitions endorsing persons as candidates for public office, or as delegates to political conventions, shall be filed with the municipal or township clerk. *Section 259.*

On or before this date the clerks of all towns, townships, boroughs, cities or other municipalities shall certify, under their hands and seals, and forward to the clerk of the county in which such town, township, borough or city or other municipality is located a statement designating the town, township, borough or city or other municipal offices which are to be filled at such election, and the number of persons to be voted for each office. *Section 350.*

On or before this date all petitions for the nomination of municipal officers, under the provisions of the direct primary act, shall be filed with the municipal clerk. *Section 388.*

**September 21st, 1909—**

Should any person endorsed in any petition as a candidate to be voted for at any primary election die, or decline to stand as such candidate by a writing filed with the municipal or township clerk, on or before this date, the vacancy shall be filled by a majority of the persons who signed the petition in and by which the person so declining was endorsed, signing and filing with the municipal or township clerk a new petition, which petition shall be verified by three of the signers. *Section 274.*

On this date the boards of registry and election in cities having a population exceeding 30,000 shall meet for organization, and at such meeting shall elect one of its members as judge, who shall be chairman of said board, and another of its members as inspector. *Section 19.*

**September 27th, 1909—**

On the same day the municipal or township clerk shall have the election booths erected and ready for the primary election and furnished with black lead pencils. *Section 266.*

The municipal or township clerk shall, on the morning of this day, deliver to the clerks of the board of registry and election the ballots and ballot-boxes for such board, taking receipts therefor. *Section 267.*

On or before this date boards of registry and election in cities having over 30,000 inhabitants should have obtained register-books, &c., from the county clerk.

On this date the county board of elections may meet to fill any vacancies that may exist in any of the boards of registry and election.

**September 28th, 1909—**

In each city having over 30,000 inhabitants the district boards of registry and election are required to be in session on the fourth Tuesday of September (September 28th), from 1 to 9 o'clock P. M., for the purpose of registering voters. This is their first meeting for the registry of voters. *Section 257.*

On this date, between 1 and 9 o'clock P. M., the primary elections shall be held in every election district in the State. *Sections 23, 268.* At the close of the election the board of registry and election shall canvass the votes and make statements thereof in accordance with the provisions of *Section 270.*

Before opening the polls each member of the board of registry and election shall take an official oath. *Section 268.* The appointed agents to act as challengers, before so acting, shall file their appointment papers with the board of registry and election. *Section 280.* Upon opening the election the election clerks shall deliver to the election boards the ballots and ballot-boxes, taking receipts therefor. *Section 267.*

**September 29th, 1909—**

Each of the clerks of election shall on this day, in cities having over 30,000 inhabitants, post in hand-bill form, in some conspicuous place, a copy of the register made up the day before; as each clerk is required to post a copy, it follows that two copies must be posted. *Sections 21, 257.*

**October 3d to 25th, 1909—**

Within these dates the township and municipal clerks shall post notices in at least five of the most public places in each township and municipality of the time, place and purpose of the election and the office or offices to be filled thereat. *Section 7.*

**October 5th, 1909—**

On this date the boards of registry and election in cities having over 30,000 inhabitants should hold their second meeting from 1 to 9 o'clock P. M., for the purpose of revising and correcting their registers. *Section 22.*

**October 8th, 1909—**

On or before this date all certificates and petitions naming candidates for office to be filed by voters of the entire State, or of any congressional district, or of any political division greater than a single county, shall be filed with the Secretary of State. *Section 42.*

**October 18th, 1909—**

The county board of elections may meet on this day to fill any vacancies that may exist in any of the boards of registry and election in cities having over 30,000 inhabitants.

On or before this date all certificates and petitions naming candidates to be voted for by all the voters of a single county, or more than a single political division thereof, or where the candidates are to be voted for upon the county ticket, shall be filed with the county clerk. *Section 42.*

On or before the same date the Secretary of State shall certify to county clerks the names of candidates nominated by certificate or petition filed in his office. *Section 43.*

**October 19th, 1909—**

On this date the boards of registry and election in cities having over 30,000 inhabitants shall have their final meeting, from 1 to 9 o'clock P. M., for the revision and correction of registers. *Section 22.*

**October 20th, 1909—**

On this date, in each district within cities having over 30,000 inhabitants, one copy of the completed register shall be posted at the place of registry for public inspection, and one copy delivered to the county board of elections, and one copy retained by the judge of the election for use by the district board on the day of election. *Section 22.*

**October 25th, 1909—**

The county boards of election may meet on this date to fill any vacancies that may exist in any of the boards of registry and election for districts outside of cities having over 30,000 inhabitants.

**October 26th, 1909—**

On this date boards of registry and election, outside of cities having over 30,000 inhabitants, have their final meeting, from 1 to 9 o'clock P. M., for the revision and correction of registers. *Section 24.* On or before this date orders for official ballots may be given by duly qualified voters to the county clerk. *Section 56.*

**October 27th, 1909—**

On this date the judges of the boards of registry and election shall deliver to the county boards of elections all affidavits made before them

on the registering of voters, and take a receipt from the county board for the same. *Section 32.*

On this date a copy of the completed register made by each board of registry and election, outside of cities having over 30,000 inhabitants, shall be delivered by the chairman of the board of registry and election to the county board of elections. *Section 24.*

**October 28th, 1909—**

On or before this date all official ballots shall be printed and in the possession of the county clerk, where the same shall be subject to inspection and examination by candidates and their agents. *Section 53.*

On or before this date all papers appointing agents or challengers shall be filed with the county board of elections, who shall thereupon issue to such agents or challengers the permits prescribed by law. *Section 63.*

On this date the county board of elections shall sit, at their office, from 8 o'clock A. M. until 5 o'clock P. M., for the purpose of adding names to and erasing names from the register of voters. *Section 25.*

**October 29th, 1909—**

On or before this date the county clerk shall have ready for delivery all official ballots to the person who may have ordered and paid for the same. *Section 56.*

**October 30th, 1909—**

On this date the county clerk shall deliver the proper quantity of official envelopes and ballots to each of the township and municipal clerks of his county. *Section 54.*

On this date the county board of elections shall hold their final meeting at their office from 8 o'clock A. M. until 5 o'clock P. M. for the purpose of adding names to and erasing names from the registers of voters. *Section 25.*

**November 1st, 1909—**

On this date the township and municipal clerks shall deliver ballots and envelopes to the clerks of the respective boards of registry and election and take receipts therefor. *Section 54.*

On or before this date the township or municipal clerks shall have fitted up the election rooms with booths, etc. *Section 78.*

On this date the county board of elections may meet to fill any vacancies existing in any of the boards of registry and election.

On this date it shall be the duty of the justice of the supreme court, assigned to hold the circuit court, and the judge of the court of common pleas in each of the several counties of this State, or one of said judges, to sit and hold a court of common pleas at the court house in their respective counties to revise and correct the registry of election. *Section 304.*

On this date the county board of elections shall deliver to the county clerk, at or before 8 o'clock in the forenoon, all the copies of the registers which were in their possession on the Saturday next preceding said general election. *Section 306.*

**November 2d, 1909—**

On this date it shall be the duty of the justice of the supreme court assigned to hold the circuit court and the judge of the court of common pleas in each of the several counties of this State, or one of said judges, to sit and hold a court of common pleas at the court house in their respective counties to inquire into the legality of persons registered. *Section 305.*

Polls open from 6 o'clock A. M. to 7 o'clock P. M. *Section 4.* Any vacancy in the board of registry and election occurring on election day shall be filled by the member of the board of the same political party as the member whose place has become vacant, which appointment shall be immediately reported to the county board of elections. *Section 17.* Ballots and envelopes shall be delivered by the clerks of election to the board of registry and election. *Section 54.* Agents or challengers shall file their permits with the board of registry and election. *Section 63.* The board shall supply each booth with ballots and lead pencils. *Section 78.* After the polls are closed and the canvass of votes completed all ballots which have been cast, whether estimated and canvassed or rejected, and the poll-list, tally-papers and all spoiled and unused envelopes shall be placed in the ballot-box, which shall be locked and sealed and delivered to the proper custodian thereof. *Section 99.*

**November 3d, 1909—**

On this date the checked register used at the election shall be filed and the ballot-box keys deposited with the county clerk. *Section 67.* All certificates of removal delivered on election day to the board of registry and election shall be attached to the checked register and also filed with the county clerk. *Section 36.*

**November 8th, 1909—**

The county board of elections will meet on this date, at 12 o'clock noon, at the court house of the county, to discharge their duties as a county board of canvassers. *Sections 102 to 117.*

# Instructions Relative to the Duties of Officers and Voters.

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## I. DATES OF GENERAL AND LOCAL ELECTIONS.

The general election is held annually on Tuesday next after the first Monday in November. *Section 1.* All municipal, local or charter elections (except city elections) are held on the days heretofore fixed by law. *Sections 2, 294.* City elections are held at the same time as the general election. *Section 238.*

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## II. THE GOVERNOR.

The Governor shall commission two members of each county board of election, annually, upon the nomination, if made within the month of June, of the chairmen of the State committee of the two political parties. If the chairmen fail to nominate, the Governor shall commission men of his own selection. The appointment is made in the month of July in each year. *Section 13.*

In case of the death or disability of any member of a county board of registration, the Governor shall cause notice of such death or disability to be given to the chairman of the proper political party. *Section 13.*

The Governor shall be chairman of the State board of canvassers. *Section 119.*

In case of contest of election of Governor, the matter is tried and determined before a committee of the Senate and General Assembly. *Section 141 to 152.*

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## III. THE SECRETARY OF STATE.

The Secretary of State, at least fifteen days before the election, shall make and certify to the county clerks of the several counties a statement of all the candidates nominated in any certificate or petition filed with him; and also of the names of the candidates for President and Vice President of the United States, if any such have been included, &c. *Section 43.* (See *Form No. 4.*) He shall also certify to the county clerks the names of candidates nominated to fill vacancies. *Section 45.*

He shall, when a candidate declines a nomination, forthwith notify the chairman and secretary of the party convention, or five persons who signed a petition nominating a candidate, of the declination. *Section 44.*

He shall pass upon the validity of a certificate of nomination, when objection is raised to it, unless an order therein shall be made by a court. *Section 46.*

In case of party division and claim by two or more factions to the same party name or title, he shall give preference thereof to the convention or nominating body held at the time and place designated in the authorized call; in case of failure of the other faction to present a name or title, he shall select one to be placed at the head of the official ballot. In cases where two or more conventions are called, each claiming to be regular, he shall select names or titles to distinguish the several factions. *Section 40.*

In all cases where the county clerk is required to furnish official ballots, he shall provide canvassing, poll, registry and instruction-books for officers and voters, and blanks for official oaths and election returns. *Sections 61, 62.*

Between August 1st and September 1st in every year wherein electors of President and Vice President, members of the House of Representatives, a Governor or State Senator, is to be elected, he shall notify the clerk of every county wherein any such election is to be held, of such election. *Section 5.* (See *Form No. 1.*) He shall file election returns made by election boards and transmitted to him for Governor and for members of the House of Representatives and electors of President and Vice President (*Section 96*); also, the statements of election received by him from the chairman of the county board of canvassers (*Section 110*), the certified copies of determinations of county boards of canvassers received from county clerks (*Section 114*), the dissents of members of the State board of canvassers (*Section 129*), all statements and copies of statements produced and laid before the State board of canvassers (*Section 128*), and all certified copies of certificates of justices of the Supreme Court made on a recount of votes for members of the Legislature and county officers. *Section 160.*

The Secretary of State shall obtain statements of election, which have not been sent to him according to law, by special messenger, or otherwise, and lay all statements before the board of State canvassers. *Section 118.* If any such statement is obtained by special messenger, he shall be commissioned, in writing, and shall exhibit his commission to the person to whom he shall apply for the statement. *Section 124.* (See *Form No. 25.*) He shall be secretary of the State board of canvassers. *Section 119.* If he neglect to produce and lay before the board of State canvassers all statements of election, he may be summoned to do so by the chairman of the board. *Section 125.* He shall deliver to each person declared to be elected by the State board of canvassers a certified copy, under the seal of the State, of the determination of the board. *Section 127.*

#### IV. COUNTY CLERK.

The county clerk shall file in his office the official oaths or affirmations of the county board of elections and of the boards of registry and elections. *Section 16.*

He shall pass upon the validity of objections to certificates of nominations filed with him, unless an order shall be made in the matter by a court. *Section 46.* He shall select name or title in case of party division, or when two or more conventions of the same party claim to be regular. *Section 40.* When a candidate declines a nomination, the clerk shall notify the chairman and secretary who signed the certificate, or five of the persons who signed the petition of nomination. *Section 44.* He shall, within five days before election, certify to the Secretary of State all candidates for State Senate and general assembly. *Section 42.* (See *Form No. 5.*)

He shall ascertain, approximately, the number of voters in a new election district or when boundaries have been changed. *Section 50.*

He shall deliver canvassing, poll, registry and instruction-books, blanks for oaths and returns, &c., to the boards of registry and election. *Section 61.*

He shall provide official ballots and envelopes (*Section 49*), printed in the manner and form prescribed (*Sections 50, 51*), and have them in his possession at least five days before the election. *Section 53.*

He shall furnish for each party, separate or independent organization, a certain number thereof (*Section 50*), put up in sealed packages, one for each election district, marked and properly addressed, and cause the same to be delivered to the township, city or municipal clerk, as designated, three days prior to any election, and shall record the time when sent and the manner of sending the packages, and take receipt for the same. *Section 54.* (See *Form No. 20.*) He is not required to print any name upon the ballots unless the same was included in a certificate or petition filed at least eight days before the election. *Section 49.* He shall not print on the ballots the name of any candidate who fails to accept his nomination (*Section 42*) nor the name of any candidate who declines his nomination. *Section 44.* He shall allow the ballots to be inspected and examined by candidates and their agents, and when mistakes are discovered shall cause new ballots to be printed without delay and shall destroy inaccurate or incomplete ballots. *Section 53.* He shall, at least four days before the election, furnish any voter with official ballots upon notice therefor by such voter in writing seven days before election, and payment of the cost of printing. *Section 56.*

The county clerk, within fifteen days after receiving from the Secretary of State notice of the election of a State Senator, Gov-



error, electors of President and Vice President, or members of the House of Representatives, shall cause a certified copy of the notice to be delivered to the clerk of each township and municipality in the county. *Section 5.* He shall also, between August 1st and September 1st in each year, when a sheriff, coroner, county clerk, register of deeds or surrogate is to be elected, cause to be delivered to each township and municipal clerk in his county a notice of the election of such officer. *Section 6.* (See *Form No. 2.*)

He shall be clerk of the county board of canvassers. *Section 102.* Shall lay before such board all statements of election received by him and obtain missing statements by special messenger or otherwise. *Sections 103, 106.* Special messengers, when employed, shall be commissioned, in writing, and shall exhibit their commissions to the persons to whom they shall apply for such statements. *Section 124.* (See *Form No. 25.*) All statements produced and laid before the county board of canvassers shall be filed by him. *Section 116.* He shall also file the determination of such board (*Section 111*), and shall deliver a copy of such determination, certified under his hand and the county seal, to each person declared to be elected as State Senator, Assemblyman, sheriff, coroner or other county officer. *Section 114.* He shall also send a similar certified copy to the Secretary of State within five days after the meeting of the board. *Section 114.* He shall also file the certificate of any Justice of the Supreme Court made on a recount of votes, and send a certified copy thereof to the Secretary of State within five days, and deliver a like certified copy to the person declared elected. *Section 160.*

Vacancies in the office of the county clerk are filled at the general election next succeeding the happening thereof. *Section 139.*

The county clerk shall audit and approve itemized bills for costs, charges and expenses. *Section 180.*

## V. TOWNSHIP, CITY AND MUNICIPAL CLERKS.

The clerk of every township, city or other municipality is required to put advertisements at least eight days prior to, and within thirty days next preceding, the election, in at least five of the most public places within the township or municipality, which advertisements shall make known the time, place and purpose of holding the election, and the office or offices to be filled thereat, and shall be signed by such clerk. *Section 7.* (See *Form No. 3.*)

The township or municipal clerk shall file all statements of election delivered to him by any board of election. *Sections 94, 96.*  
 • He shall also have the custody of the ballot-boxes after election, but not of the keys thereto. *Sections 67, 99.* In cities, each city

clerk shall keep a record of the exact time of the delivery to him of each ballot-box, and of the election officers and persons making the delivery. *Section 99.* He shall, in cities having over 30,000 inhabitants, also publish notice of meetings of district boards to prepare registers for charter elections. *Section 28.*

In township or municipal elections, the township or municipal clerk is required to discharge the same duties as are devolved in other elections upon the county clerk in the matters of selecting names for parties in cases of division, or two or more conventions (*Section 40*); when a candidate declines a nomination (*Section 44*); in ascertaining the number of voters in a new election district or where boundaries have been changed (*Section 50*); in providing official ballots and envelopes and distributing the same (*Section 85*); and in passing upon objections to certificates of nomination. *Section 46.* For such elections he shall also furnish the necessary canvassing-books, poll-books, registry-books and blanks. *Section 62.*

If the official ballots are not delivered at the time specified, or should be destroyed or stolen, and other official ballots cannot be obtained in time, he shall cause other ballots to be prepared, &c. *Section 55.*

He shall also provide, before the date of the first meeting of the board of registry and election, a suitable room in each election district in which to make and revise the register of voters and to hold the election, and give notice of the location thereof to the board of election (*Section 8*; see *Form No. 6*); shall have the booths or compartments, &c., constructed therein, as described, and shall provide the same with lights so that they may be kept at all hours well and sufficiently lighted. *Sections 78, 79.* He may, if in his judgment it is best so to do, cause booths to be erected in the street; but elections shall not be held in any bar-room. *Section 8.*

He shall, on the day preceding the election (and on Saturday preceding, when the election is on Monday, deliver each sealed package of ballots and envelopes received by him from the county clerk, to one of the clerks of each election district in his township or municipality for which the same has been prepared, and shall take a receipt therefor. *Section 54.*

He shall also audit and approve itemized bills for costs, charges and expenses. *Section 180.*

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## VI. NOMINATION OF CANDIDATES.

### By Party Conventions—

Any political party which, at the preceding general election, polled not less than two per cent. of the votes cast in the State, county or other division for which a candidate is to be named, may nominate

candidates, whose names shall be placed upon the official ballot, which nomination must be certified in the manner and form prescribed. *Section 38.* (See *Form No. 8.*)

#### **By Petition of Legal Voters—**

Candidates for State offices, and for offices in a political division less than the State, may also be nominated and have their names printed upon the official ballot upon petition signed by legally-qualified voters equal in number to at least two per centum of the entire vote cast for members of the General Assembly at the last preceding general election in the State, county, district or other political division; *provided*, that no more than eight hundred names shall be required for each candidate named for a State office, and not more than one hundred names for any candidate or any office in a political division less than the State, and that in the case of a newly-established election district, county, city or other political division, fifty signatures shall be sufficient to a petition nominating candidates for the first election. *Section 41.* (See *Form No. 10.*)

#### **Vacancies—How Filled—**

To fill vacancies, when a candidate declines or dies before election, or the certificate of nomination is insufficient or inoperative, the nomination shall be made in the manner required for original nominations. *Sections 45.* (See *Forms Nos. 9 and 11.*)

Committees, when so empowered by conventions, may fill such vacancies. *Section 45.*

#### **When Certificate of Nomination Shall Be Filed—**

All nominations, whether by convention or by petition, shall be certified in form prescribed (*Sections 39, 41; see Forms Nos. 8, 9, 10 and 11*), and shall be filed as follows: For State officers and members of Congress, with the Secretary of State twenty-five days before election; all certificates and petitions naming candidates to be voted for by all the voters of a single county or more than a single political division thereof, or where candidates for city offices are to be voted for upon the county ticket, shall be filed with the clerks of the respective counties wherein the officers nominated are to be voted for at least fifteen days prior to such election; all other certificates and petitions shall be filed with the clerks of the respective municipalities wherein the candidates nominated are to be chosen at least thirteen days before the election whereat they are to be voted for. *Section 42.*

#### **Amendment of Certificates and Petitions—**

Certificates and petitions of nomination may be amended, in form or substance, at any time after having been filed, not later than five days before the election. *Section 235.*

**Acceptance of Nomination—**

Candidates must accept their nominations in writing and file the acceptances with the certificates of nomination. *Section 42.* (See *Forms Nos. 8, 9 and 10.*)

**When Nomination by Petition or Certificate is Not Required—**

Generally, candidates must be nominated by petition or certificate. They must be so nominated in all general elections, and in all charter, local or special elections, held in the cities and towns of this State, and in all other municipalities having by the last State or federal census a population exceeding 8,000 inhabitants. Such nomination, however, is not required for annual township elections, nor for the charter, local or special elections held in those municipalities (exclusive of cities and towns) which have a population of 8,000 inhabitants or less. *Compare Sections 85 and 234.*

**Certificates Open to Public Inspection—**

All certificates and petitions, when filed, shall be open to public inspection, and shall be preserved one year. *Section 42.*

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## VII. OFFICIAL BALLOTS.

**When Required and When Not Required to be Used—**

Official ballots are required to be used at all general elections and at all charter, local and special elections held in the cities and towns of this State and in all other municipalities having over 8,000 inhabitants; they are not required for annual township elections, or for charter, local and special elections in those municipalities (exclusive of cities and towns) which have a population of 8,000 inhabitants or less. *Compare Sections 85 and 234.*

**Printed and Distributed at Public Expense—**

All ballots to be cast at any general election, and any local, charter or special election in any city in this State, shall be printed and distributed at public expense (*Sections 48, 85*), except that any voter may be furnished by the county or municipal clerk with official ballots, at his own expense for printing, which ballots may be used on election day. *Sections 56, 67.*

**Separate Ballots for Each Party or Group—**

The county clerk shall provide separate ballots for each political party or group of petitioners whose candidates, to be voted for at any election to be held within the county, are certified to him by the Secretary of State, or included in any certificate or petition originally filed with him under the provisions of the Election law. In local

municipal elections (except city elections, see *Section 238*), they are to be furnished by the municipal clerk. *Section 49.*

**How Ballots Shall Be Printed—**

All ballots shall be printed with black ink on plain white paper, of such thickness that the printing thereon cannot be distinguished from the back; they shall all be of uniform size, quality and type, and without any mark, word, device or figure thereon, except that the nominations of each party or group of petitioners shall be printed on separate tickets underneath the title or name of the party or petitioners making such nominations (*Section 49*), and that on the back of each of said ballots shall be printed the words "Official ballot for ———;" after the word "for" in each case shall be the designation of the county, township, municipality, ward or other political division for which the ballot is prepared, the date of the election and a fac-simile of the signature of the county or municipal clerk. *Section 50.* Whenever a question or proposition is to be voted upon, it shall be printed upon the ballots as provided. *Section 52.* Whenever any error has occurred in the printing of ballots, a Justice of the Supreme Court may summarily order the error to be corrected. The county or municipal clerk should, also, without such order, correct the error by having new ballots printed and destroying the incorrect ones. *Section 53.*

**Number of Ballots to be Furnished—**

The county or municipal clerk shall provide for each political party, in each election district, two hundred and fifty ballots for every one hundred or fraction of one hundred of the total votes cast therein at the last preceding election for members of the Assembly; in cases of independent nominations, or of nominations by any party, organization or petitioners that cast no votes for any candidate or candidates at the last preceding election for members of the Assembly, he shall provide a number equal to double the total number of votes cast in the election district at the last preceding election for members of the Assembly. When the boundaries of any district have been changed, or a new district created, the clerk shall ascertain, as nearly as possible, the number of votes in the district, and provide ballots in the above proportion. *Section 50.*

**How and When Ballots Shall Be Delivered—**

The ballots (and envelopes) shall be printed and in possession of the county clerk at least five days before the election (*Section 53*), and shall be delivered to the clerk of each township, city or other municipality three days prior to the election, in sealed packages (with the envelopes), clearly addressed on the outside, stating the election district for which each package is intended and the number of ballots and envelopes enclosed. The township or municipal clerk (as the case may be) shall, on the day before the election (on Saturday before,

when election takes place on Monday), deliver to one of the election clerks in each district the package of ballots and envelopes addressed to his district, and the election clerk is required to deliver the package, with the seals unbroken, to the election board on the morning of the election before the polls are opened. In all cases when packages of ballots and envelopes are delivered the clerks are required to give and take receipts therefor, and to file or preserve the receipts. *Section 54.* (See *Form No. 20.*)

**Shall Be Subject to Inspection, and Shall Be Reprinted if Mistakes are Discovered—**

The ballots, while in possession of the county or municipal clerk, are subject to inspection and examination by the candidates and their agents; if any mistake is discovered, the clerk is required immediately to destroy the incorrect or incomplete ballots and cause new ballots to be printed in their stead. Summary proceedings may be taken before a Justice of the Supreme Court to require the clerk to comply with the law in this regard. *Section 53.*

**If Not Delivered in Time, or Lost or Stolen, Township or Other Clerks Shall Provide—**

If the official ballots shall not be delivered at the time specified or should be destroyed or stolen, or the official supply shall be exhausted and other official ballots cannot be obtained in time for the election, the township or other municipal clerk, or the election board (as the case may require), shall cause other ballots to be prepared in the form prescribed, omitting the endorsement on the back, and the board of election shall use the same at the election. A statement of the facts shall be made, under oath, by the person preparing the new ballots. When the official ballots and envelopes, or either of them, for the reasons named are dispensed with, the mode and manner of voting shall, in all respects, conform to the requirements of the law. *Section 55.*

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## **VIII. OFFICIAL ENVELOPES.**

**How Envelopes Shall Be Printed, &c.—**

The county and municipal clerks shall in like manner as for official ballots provide and furnish the official envelopes required to be used at any election held in this State (*Section 51*); they shall all be of the same quality of plain blue paper, so as to be readily distinguishable from official ballots, of the same quality and kind of paper, and three inches in length by two and one-eighth inches in width, with the flap ungummed; on the face shall be printed in black ink, in type of the same style and description so that one envelope cannot be distinguished from another, the words "Official envelope

for ——;” after the word “for” shall be the designation of the county, township, municipality or other subdivision for which it is prepared, the date of election, and a fac-simile of the signature of the clerk by whom they are required to be provided and furnished, and there shall be no other mark, word, figure or device of any kind placed on the envelopes. *Section 51.* If the envelope is marked in any manner for identification the ballot shall not be counted. *Section 85.* The use of the official envelope shall be confined exclusively to the polling-room. *Section 51.*

**Number to be Provided, &c.—**

There shall be provided for and furnished to each election district a number of official envelopes equal to double the number of all votes cast in such district at the last preceding general election (*Section 51*); they shall be sent in the sealed packages with the official ballots and delivered to the clerk of the township, city or municipality, and by him delivered to the election clerk, who shall deliver them to the election board. *Section 54.* One (and only one) shall be issued to a voter upon entering the polling-room (*Section 80*); should he spoil it, or render it unfit for use, another may be issued to him upon returning the spoiled one, but no more than two official envelopes—one at a time—shall be furnished any voter. *Section 51.*

**If Lost or Stolen, Election May Proceed Without Them—**

Should the supply of official envelopes provided for any district be lost, stolen or destroyed, the election shall proceed without them, but the ballots shall be folded so as to disclose the official stamp on the back. *Section 55.*

**Spoiled and Unused—How to be Disposed of—**

At the close of the election all unused and spoiled official envelopes shall be tied in one package, deposited in the ballot-box, and delivered with the same to the proper custodian thereof. *Section 99.*

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## IX. COUNTY BOARDS OF ELECTIONS.

**Appointment—**

The county board of elections shall consist of four persons, to be commissioned by the Governor upon nomination of the chairmen of the two largest political parties, provided the nominations are made in the month of June, otherwise the Governor may appoint men of his own selection. Vacancies caused by death or disability shall be filled for the unexpired term. *Section 13.*

**Term—**

The terms of office of members of the county board of elections are two years, the terms of two members expiring on August 1st in each year. *Section 13.*

**Oath—**

Each member, before entering upon the performance of his duties, is required to take and subscribe an official oath, after which he can administer, at any meeting of the board, any oath or affirmation required or permitted by the Election law. *Section 16. (See Form No. 16.)*

**Office—**

The board of chosen freeholders shall provide the county board of elections with a suitable office and furniture, in the county court house, or in a building at the county seat as near as possible to the court house. *Section 13.*

**Organization—**

On the first Tuesday in August, or on such other day as the board may agree on within the first ten days in August, the county board shall meet at the county court house, or other place provided for them, and organize by electing a chairman and secretary, who shall not be of the same political party. Failing, after three ballots, to elect, the oldest member in years shall be chairman and the next oldest, not of the same party, shall be secretary. *Section 14.*

**Publication of Notice of Registration of Voters—**

At least two weeks before the primary election, the county board shall publish, in not more than six newspapers, notice of the meetings of the district boards of registry and election for the purpose of registering voters, and of the primary election. *Section 20.*

**Appointment of Local Boards—**

On or before the twenty-fifth day of August the county board shall appoint for each election district in the county four persons, legal voters and residents within the election district for which they are appointed, to be the board of registry and election for such district. Not more than two of such four appointees shall belong to the same political party. (See *Form No. 12.*) The appointments shall be made upon nominations made by the respective chairmen of the county committees of the two largest political parties, which nominations should be made after August 10th and on or before August 15th. If either chairman fail to nominate within such time the county board shall immediately notify him, that he may supply the deficiency on or before August 22d. If no nominations are made by such delinquent chairman on or before August 22d, the county board shall appoint men



from the political party of which the delinquent chairman is a member. Nominees may, however, be required to answer, in writing, all reasonable questions as to their efficiency, eligibility, character and fitness. The county board may also remove any member of a district board for neglect or refusal to perform his duties, or for intoxication, incapacity, deceit or falsehood exercised in securing his own appointment. *Section 15.* Vacancies in any board of registry and election shall also be filled by the county board for the unexpired term. *Section 17.* Although the law does not expressly require it, the county board should certify to the clerk of each township and municipality the names of the persons appointed on the election boards. This will furnish the clerks with reliable information and enable them to notify the proper persons of the places where the election will be held.

The boards of registry and election, in cities having over 30,000 inhabitants, are required to meet on the *fourth* Tuesday of September for the registry of voters and for holding the primary election (*Section 257*); on Tuesday, four weeks before the election, the boards of registry and election within such cities have their second meeting (*Section 22*); on Tuesday, two weeks before the election, the boards within such cities have their third and final meeting (*Section 22*). On the first Tuesday of September the boards of registry and election outside of cities having over 30,000 inhabitants, are required to meet for the registry of voters (*Section 23*); on the *second* Tuesday of September such boards hold their second meeting (see *Opinion of Attorney-General, page 2 of instructions*) (*Section 23*); and on Tuesday, one week before the election, the boards outside of such cities hold their third and final meeting for the registry of voters (*Section 24*). As the county board is authorized to fill vacancies in the boards of registry and election, it will be well for it to hold a meeting on the day preceding each of these five days, and also on the day before election, to fill such vacancies as may be reported to it.

The county board are required also to appoint district boards for municipal elections where changes in districts have been made. *Section 31.*

#### **Issue of Permits to Agents—**

The county board shall file appointment papers of the agents of parties and candidates and issue to them permits to be present in the polling-place, and also within the railed enclosure while the votes are being counted. *Section 63.* (See *Forms Nos. 17, 18.*)

#### **Adding Names to and Erasing Names from Registers—**

On Thursday and Saturday next preceding the election, from 8 o'clock in the forenoon until 5 o'clock in the afternoon, the county board of election shall sit at its office to hear applications to have names added to and erased from the registers. Upon any such application the county board, on proper evidence satisfying them that the

applicant is entitled to vote, may give a certificate to that effect, which may be presented by the applicant to the proper district board. Such district boards shall receive and file the certificate, add the name of such applicant to the registry and allow him to vote. No name shall be added to the registry after the last registration day except upon the certificate of the county board or upon the presentation of a certificate of removal of a voter from one election district to another. Names may also be erased from the registers after due notice to the persons affected thereby. *Section 25. (See Forms Nos. 13, 14 and 15.)*

#### **Registers for Special Local Elections—**

The county board, at least seven weeks before any special city election for the election of municipal officers, shall deliver to the city clerk the copies of the registry lists filed with the county board at the previous general election and the city clerk shall deliver them to the district boards at least six weeks before such election. *Section 27. (But see Section 238.)* The county board shall sit on Thursday and Saturday next preceding any township, municipal, charter, local or special election, for the purpose of adding names to, or erasing them from, the registers. *Section 30.*

#### **Preservation of Affidavits—**

The county board of elections shall file all affidavits delivered to them by the judges of the district boards, give receipts therefor, and preserve them for six months. *Section 32.*

#### **Act as County Board of Canvassers—**

For all general, and for all city elections, the county board of elections shall act as the county board of canvassers. The county clerk shall act as clerk of the canvassers. *Section 102.* They shall meet on Monday next after election, at 12 o'clock, at the county court house. *Sections 103 to 117.*

#### **Their Compensation—**

The county boards of elections are entitled to reasonable compensation for their services. *Section 180.*

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## **X. DISTRICT BOARDS OF REGISTRY AND ELECTION.**

#### **Members Not Eligible to Other Offices—**

No election officer shall be elected to any office to be filled at the election in which he shall serve. *Section 84.*

#### **Constitution, Term and Oath—**

The board of registry and election shall consist of four persons to be appointed by the county board of elections, not more than two of

whom shall be of the same political party (see *Form No. 12*); they shall hold office for one year, from September 1st to August 31st following; they shall take an oath of office (*Form No. 16*) before a duly qualified officer, which oath shall forthwith be forwarded to and filed in the county clerk's office. Vacancies shall be filled by the county board, except when a vacancy occurs on election day, in which case it shall be filled by a member of the district board of the same political party as the member whose place has become vacant. *Sections 15 to 17.*

#### **Organization—**

At its first meeting the district board shall organize by electing one member to be judge and one member to be inspector; the judge shall be the chairman of the board; the remaining two members of the board shall be its clerks. If the board fail to elect a judge after voting three times, the oldest member in years shall be judge, and if the board fail to elect an inspector after voting three times, the next oldest member of the board in years shall become inspector; provided, that both chairman and inspector shall not be nominees of the same chairman. *Section 19.*

#### **Power to Administer Oaths—**

After having duly qualified according to law, each member of the board is authorized, at any meeting thereof, to administer any oath or affirmation required or permitted to be taken by the Election law. *Section 16.*

#### **First Meeting to Register Voters for General Election in Districts Within Cities Having Over 30,000 Inhabitants—**

The board of registry and election shall meet on the fourth Tuesday of September, at 1 o'clock in the afternoon, at the place designated by the city clerk (see *Section 18*), and continue in session until 9 o'clock in the evening, for the registration of voters. After organizing, they shall make two lists of voters, arranged in the alphabetical order of streets and by street numbers, or the order of the houses as they occur on streets, avenues and roads. They shall register the names of all persons entitled to the right of suffrage in their district at the next election, who shall personally appear before them for that purpose, and such other persons as shall be shown by the written affidavit of a voter residing in the same election district to be lawfully entitled to vote at the ensuing election. No person shall be registered unless a majority of the board shall be satisfied of the applicant's right to vote at the ensuing election. On the next day after the registry each of the election clerks shall post a copy of the register in hand-bill form in a conspicuous place in the election district. The said board shall also, at the same time, conduct the primary election. *Sections 21, 257.*

**Second Meeting to Register Voters for General Election in Districts  
Within Cities Having Over 30,000 Inhabitants—**

On Tuesday, four weeks next preceding the general election, the board of registry and election shall meet to revise and correct the registry. They shall add thereto the names of all persons not already registered, who shall appear in person before the board and establish to the satisfaction of a majority of the board their right to vote, or who shall be shown by the written affidavit of a voter residing in the district to be entitled to vote. The name of any person may also be erased from the registry, if, after a fair opportunity to be heard, he shall be shown by due proof not to be entitled to vote.

*Section 22.*

**Third Meeting to Register Voters for General Election in Districts  
Within Cities Having Over 30,000 Inhabitants—**

On Tuesday, two weeks next preceding the general election, the board of registry and election shall hold its third and final meeting for the revision and correction of the registry. They shall add names to and erase names from the registry in the same manner as at their second meeting. The revised registry shall show, opposite each name, whether the person registered appeared in person before the board or was registered by affidavit, and if by affidavit the name of the person making the affidavit, and shall be arranged by streets and street numbers as required at the first meeting; they shall not be copied from any previous register, in whole or in part. On the next day after the final completion of the register, one copy of it shall be delivered by the chairman to the county board of elections, one copy posted at the place of election for public inspection, and one copy shall be retained by the judge of election for use by the district board on the day of election.

*Section 22.*

**First Meeting to Register Voters for General Election in Districts  
Outside of Cities Having Over 30,000 Inhabitants—**

The board of registry and election shall meet annually on the first Tuesday of September, at the place designated by the township or municipal clerk (see *Section 18*), at 10 o'clock in the forenoon, and, having organized, shall proceed at once to ascertain by actual inquiry at every dwelling or habitation, or of the head of every family, the names and residences and street numbers of all legal voters within their district; they shall continue the enumeration from day to day, and shall complete the same on or before the following Friday. To facilitate the work the board may divide their district into subdivisions, and any two members, to be designated by the chairman, may, in company, make the enumeration in such subdivisions; but no name shall be entered upon the canvassing-book without the concurrence of both members. When the canvass is made by the whole board, a majority must concur to enter a name on the canvassing-book. *Section 23.*

**Second Meeting to Register Voters for General Election in Districts Outside of Cities Having Over 30,000 Inhabitants—**

On the second Tuesday of September the board shall meet at the place designated by the township or municipal clerk, at 1 o'clock P. M., and remain in session until 9 o'clock P. M., for the purpose of making two alphabetical lists or registers of the names of the voters and their places of residences and street numbers, if any. These lists shall be transcribed from the canvassing-books, and shall include also the names of all persons not on the canvassing-books, who shall personally appear before the board and show to its satisfaction that they are entitled to vote; and, also, of all persons who shall be shown, by the affidavit in writing of some voter in that election district, to be a legal voter therein. *Section 22.* (See *Form No. 7.*) When the lists are completed, the board shall certify on each of them, and announce publicly the number of names entered thereon. On the next day each of the clerks of election shall post, in a conspicuous place within the district, a list, in hand-bill form, of the names entered on the registers, with residences and street numbers, if any, certified by the board, or a majority of them, to be correct copies of the original registers. *Section 24.*

**Third Meeting to Register Voters for General Election in Districts Outside of Cities Having Over 30,000 Inhabitants—**

On Tuesday next preceding the general election the board shall meet and remain in session from 1 o'clock P. M. to 9 o'clock P. M., to revise and correct the registers, and to add thereto the names of all persons entitled to vote in such district at the next election, who shall appear in person, or who shall be shown by affidavit of a voter in the election district to be a legal voter therein, and of erasing therefrom the name of any person who, after a fair opportunity to be heard, shall be shown not to be entitled to vote. No name shall be added to or erased from the registers without the concurrence of a majority of the board. *Section 24.* When the registers are completed, the board shall publicly announce and certify on each register the number of names thereon, and on the next day succeeding this meeting the chairman of the district board shall deliver one of them to the county board of elections and the other he shall retain for use by the district board on election day. The chairman shall also designate one of the clerks to prepare a third copy of the register, which shall be certified, and the clerk shall, within the next two days, file the same with the clerk of the city, township or municipality. *Section 24.*

**Provision When Local Election Falls on Registry Day for General Election—**

Whenever the time fixed by law for holding any municipal, local or charter election falls on any day of registry for the general election, the registry shall take place on the day following such municipal, local or charter election. *Section 37.*

**Registration of Voters in Cities Having Over 30,000 Inhabitants for Elections Other than General Elections—**

In all such cities the district boards shall make, alter and revise the registers of voters for all elections other than general elections. New registers are not necessary where the election districts remain unchanged, but in such cases revision and correction only are to be made. Each board shall meet at the place designated by the city clerk on Tuesday four weeks next preceding the election, and finally on Tuesday two weeks before the election. Each meeting shall continue from 1 to 9 o'clock p. m. *Section 26.* The city clerk shall deliver to each district its register used at the preceding general election at least six weeks before the election, the city clerk having obtained the same from the county board of elections seven weeks before the election. *Section 27.* The city clerk shall publish notice of the registration, including a short description of boundary lines of election districts and location of polling-places, at least two weeks before the first registration day in at least two newspapers. *Section 28.* The district boards shall add to the registers in the same manner as for general elections, and on the day succeeding the first registration day each of the clerks shall post in a conspicuous place a copy of the revised register, and on the day succeeding the second registration day the chairman shall deliver one copy thereof to the county board of elections and retain one copy for use by the district board on election day. *Section 26.*

**Registration of Voters for Township and Local Elections in Districts Outside of Cities Having Over 30,000 Inhabitants—**

No new registration is required within any district in any township, town or borough or other municipality outside of cities having over 30,000 inhabitants, for any township, charter, local or special election. In every such district the district board shall procure the copy of the register for the preceding election filed with the township or municipal clerk and use it, revising and correcting it in the manner provided for the revision and correction of registers in cities having over 30,000 inhabitants. Such boards shall meet for this revision and correction on the Tuesday next preceding the election, and each election clerk shall post at least three notices of the time and place of the meeting in conspicuous places at least one week before the meeting. No copy of the registrar need be posted, but on the day after the meeting one copy shall be filed with the county board of elections. *Section 29.*

**Registration by Affidavit—**

Whenever a voter is registered by affidavit, whether for a general election or for a township, town, borough, municipal, charter or local election, a separate affidavit is required for each person registered. (See *Form No. 7.*) It must also contain the address of the affiant and

be signed by him. All affidavits must be preserved by the judge of election until the completion of the registry, and then be delivered by him to the county board of election, who shall give a receipt for the same, stating the number received. The county board shall preserve the affidavits for six months. *Section 32.* Each district board shall register the name of every person who shall be shown by the affidavit of a voter residing within their election district to be lawfully entitled to vote. *Sections 21, 22, 23, 24, 26, 29.* They shall also register the name of every person who shall appear before them and satisfy them by an affidavit that he will, on the day of the next ensuing election, be entitled, under the constitution and laws of this State, to vote in that district. *Section 35.*

#### **The Proceedings Shall Be Open to the Public—**

The proceedings of the board shall be open to the public, and all persons entitled to vote in the district shall be entitled to be freely heard in relation to the revision and correction of the registers. *Section 32.*

#### **Certificate to Voter Who Has Removed—**

Upon application the board shall, on election day, give a certificate to a voter who, after being registered, has removed to another election district in the same county, and erase his name from their registry, and upon the presentation of such certificate from another district the board to which it is presented shall enter the name of the voter upon their registry. The certificate so presented shall be attached to the register and filed therewith. *Section 36.* (See *Form No. 19.*)

#### **Conducting General, Local, Township and Municipal Elections—**

The board of chosen freeholders of each county is required to provide and keep in good repair ballot-boxes for use in the respective election districts, of the form prescribed by law, for both the general elections and the primary elections. *Section 60.*

In all elections, general, local or charter, the polls shall open at 6 o'clock in the morning and close at 7 o'clock in the evening, and shall be kept open during the whole of the day of election between the hours aforesaid, except that an adjournment may be had from 1 o'clock until 2 o'clock in the afternoon, or for a shorter time between those hours. *Section 4.* The decision of a majority of the board of election on any question shall be taken as the decision of the board, and final, any member, however, having the right to record and sign his dissent in the pool-book. *Section 90.*

The boards of registry and election shall hold and conduct all general, municipal, local and special elections to be held throughout this State. *Section 64.*

In case of a vacancy occurring in the election board on election day, except where a member is removed by order of the county board of elections, the vacancy shall be filled by the member of the district board of the same political party as the member whose place has become vacant. *Section 17.*

As soon as the election is opened, and before receiving any vote, the board of election shall make public proclamation of the opening of the election, and of their readiness to receive the votes of voters and exhibit the ballot-box, so that bystanders can see that there is nothing contained therein. *Section 66.*

The poll-book shall be kept by one of the clerks of election, who shall number and record the names and residences of the persons voting in the order in which their votes are received. The poll-book shall have a heading as follows: "Names of voters at an election held in \_\_\_\_\_ district of \_\_\_\_\_ in the county of \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_, in the year of our Lord one thousand \_\_\_\_\_ hundred and \_\_\_\_\_, for \_\_\_\_\_" (naming the offices to be filled.) *Section 67. (See Form No. 21.)*

If they adjourn before the close of election, they shall state in the poll-book, immediately after the last name therein, in words written in full length, the whole number of the names of the voters in the poll-book, to which the members of the board shall sign their names (see *Form No. 22*), and shall unlock the ballot-box, secure the bar or bolt so as to prevent the insertion of ballots; place therein the poll-book, and shut and lock the ballot-box. During the adjournment the ballot-box shall be kept in public view. *Section 77.* At the opening of the election the keys of the ballot-box shall be distributed amongst the members of the board of registry and election, each member keeping the key delivered to him until a statement of the result of the election shall have been made and certified as required by law. *Section 65.*

No person shall be allowed to vote whose name does not appear on the register (*Section 33*), except upon presentation of a certificate of removal after being registered in another district (*Section 36*), or upon the presentation of a certificate of the county board of elections ordering the name of such person to be added to the register. *Sections 25, 30.*

The board shall challenge every person who shall claim to have a right to vote whom they shall know, suspect or believe not to be qualified or entitled to vote (see *Section 72*), and for the purpose of satisfying themselves as to the right of any person to vote they may examine him, and any other person or persons, under oath or affirmation. *Section 75.* For oaths administered in cases of challenge, see *Section 73.*

The board shall keep the election booths or compartment supplied with official ballots, of each party, organization or set of petitioners, and with lead pencils, and shall allow no person within the railed en-



closure while the election is in progress, except the election officers, and voters entering the same for the purpose of preparing their ballots and voting. Also, they shall allow no person to be present in the polling-room outside the railed enclosure during the progress of the election, except the officers connected with the election, the candidates and their duly-authorized agents, and the agents of the parties, such voters as are actually present for the purpose of voting and the officers duly appointed for keeping the peace. *Section 78.* When a voter enters, the inspector of election shall immediately supply him with a set of the official ballots and one official envelope, and shall allow no person to vote until after he has received the ballots and envelope and carried the same with him into one of the compartments. *Section 80.* Should the voter spoil the envelope, another, but only one more, may be issued to him upon the return of the one so spoiled. *Section 51.* When the voter offer his ballot it must be enclosed in the envelope with the flap turned down so as to conceal it; the judge of election shall receive it and immediately deposit it in the ballot-box, in the presence of the voter, who shall then leave the polling-room without unnecessary delay. *Section 80.* One of the election clerks shall check the name of the person voting, the other election clerk shall keep the poll-book, and after the canvass of the votes the register so kept and checked shall be filed with the clerk of the county, and the poll-book shall be deposited in the ballot-box. *Section 67.* No member of the board shall reveal how any person has voted, or give any information concerning the appearance of any ballot or envelope voted, under penalty (*Section 201*), and shall be liable to fine and imprisonment for any willful or negligent violation or omission of duty. *Section 197.*

#### **Preservation of Order at Polls—**

It is the duty of the board to preserve the peace and maintain good order at the polling-place, and for that purpose they are invested with the powers and duties of constables, and they may request the municipal authority to detail one or more policemen to assist them. *Section 83.* They may also commit to the common jail of the county, for a period not exceeding three days, by an order in writing, any person who refuses to obey their lawful commands and who by disorderly conduct in their hearing or presence shall interrupt or disturb their proceedings, which order shall be executed by any sheriff or constable, or in case of the absence of the sheriff or constable, by any person deputed in writing for that purpose. *Section 186.*

#### **Canvassing the Vote—**

Immediately after closing the polls the clerk keeping the poll-book shall state, after the last name, in words written at full length, the whole number of the names of the voters in the poll-book, as fol-

lows: "The whole number of the names of the persons whose votes have been received during the election is ——." The members of the district board shall sign their names thereto. *Section 86.* (See *Form No. 23.*) The board shall then unlock the ballot-box and canvass the votes. The judge shall take the envelopes from the box separately, remove the ballot from the envelope, read it publicly and deliver both envelope and ballot to the inspector, who, being satisfied that the ballot was properly read, shall number the ballot on its back, write on the envelope the same number, return the ballot to its proper envelope, and string the ballot and envelope as one ballot. *Section 87.* Each clerk shall keep a tally-sheet. *Section 88.* The excess of ballots in the box over the number of names on the poll-book are void; so, also, if an envelope contain more than one ballot, all the ballots in such envelope are void; all blank ballots are void. *Section 91.* All marked ballots and all ballots in marked envelopes are void. *Sections 58, 85.* All ballots on which any name is written in ink or with pencil other than black, or on which pasters are used printed otherwise than with black ink on white paper, are void. *Sections 59, 85.* All ballots not in closed, unsealed official envelopes are void. *Section 80.* And all ballots containing more names for any office than are persons to be elected to fill such office are void as to such office. *Section 92.* No ballot wholly void shall be canvassed, estimated or numbered, but all such ballots shall be returned to their proper envelopes, and on each such envelope shall be written the words "rejected ballot," and shall then be strung on a different twine from the other envelopes and ballots. *Section 91.* After all the votes shall have been read, examined, numbered and strung as directed, the board shall cast up the vote given for each person. *Section 88.* They shall then personally examine the tally-sheets, and if they find these sheets and the record of the canvass to be correct, shall sign the returns. *Section 89.* A plurality of votes is sufficient to elect, and a tie vote renders the office vacant. *Section 93.* When a question or proposition is to be voted on, "a majority of the legal voters" means a majority of the legal voters voting on such question or proposition. *Section 185.*

#### **Statement of Result of General Election—**

After the canvass has been made, the board of election shall make a statement of the result thereof, and a certificate thereto of the form prescribed by law. *Section 95.* No member shall sign such statement until after the completion of the counting of the votes and his personal examination of the tally-sheets to determine the result. *Section 89.* A copy of the same shall be made, signed and delivered to the township or city clerk, and a copy within two days to the county clerk. In the case of an election for Governor, or for members of the House of Representatives, or for electors of President and Vice President, a copy shall also be made and signed, and sent by mail within two days to the Secretary of State. *Section 96.*

### **Statement of Result and Determination of Township or Municipal Elections—**

In every township or municipality (other than cities) containing but one election district, the members of the district board of election conducting any township, local or charter election therein shall, upon the close of the election, ascertain and determine what officers have been elected, sums of money voted or propositions adopted, and the result of the election in all other particulars; in every township or municipality containing more than one election district the members of the district boards of election conducting any such election shall meet on the day after holding the same, at the hour of two o'clock in the afternoon, at the polling place in the district in which the township or municipal clerk may reside, and when so met shall ascertain and determine in like manner the results of said election in said township or municipality; *provided*, that when such township or municipality contains more than two election districts, two members only from the board of election of each district, to be designated by the board, shall meet in like manner and ascertain the result of said election as above provided; such determination shall be written out and signed by the election officers making the same, and forthwith delivered to and filed by the township or municipal clerk. *Section 94.*

The determination of the result of the city election is made by the county canvassers. *Sections 102, 111.*

### **Disposition of Ballot-box, Keys and Papers—**

The ballots cast at the election, whether counted or rejected, the poll-list, the tally papers and all unused and all spoiled official envelopes, shall be deposited in the ballot-box, which, being locked and bound with tape and sealed, shall be delivered to the township or city clerk. In each city the city clerk's office shall be kept open for the reception of the ballot-boxes, and a record kept of the time of their reception and the names of the persons delivering them. *Section 99.* The checked register of voters used at the election shall be filed and the ballot-box keys shall be deposited with the county clerk. *Section 67.*

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## **XI. PRIVILEGES AND DUTIES OF VOTERS.**

### **May Attend Meetings of Board of Registry and be Heard—**

Every voter is entitled to be freely heard in relation to the revision and correction of the registers, and for that purpose may attend the meetings of the board. *Section 32.*

### **On Removal May Have Certificate to Another District—**

Any voter who shall move into another election district in the same county after being registered may have a certificate from the registry

board of his former district, upon presentation of which to the registry board of the district into which he has moved, he shall have his name placed upon the registry thereof and be allowed to vote therein. *Section 36.* See Form No. 19.)

#### **May Have Supply of Official Ballots—**

Any voter may have not less than fifty official ballots issued to him upon application in writing, not less than seven days before the election, to the county or municipal clerk (as the case may be), and paying for the printing thereof, which ballots may be used at the election. *Sections 56, 57.*

#### **Who May Vote—**

Every male citizen of the United States, of the age of twenty-one years, who shall have been a resident of this State one year, and of the county in which he claims his vote five months, next before the election, and who has also complied with the registration laws, and has not disqualified himself by any crime, has the right to vote. *Sections 68, 69, 71, 78, and page 217.*

#### **How He Shall Prepare His Ballot and Vote It—**

At the polling-room the voter shall receive from an inspector of election as he enters the railed enclosure, one of each of the official ballots provided for use in the polling-room and one (and only one) of the official envelopes, and he shall not be permitted to vote until he shall have received said ballots and envelope. He shall then, without delay and without leaving the railed enclosure, retire alone to one of the booths or compartments, enter the same and close the door thereof, and remain therein (not exceeding five minutes) until he shall have enclosed in the envelope the ballot he intends to vote, whether he received the same from the election officer or obtained it within the compartment or elsewhere. The ballot must be entirely concealed within the envelope. He shall then leave the compartment and immediately deliver the ballot, enclosed in the envelope, with the flap turned down but not sealed, to the judge of the election, and shall then, without unnecessary delay, leave the polling-room. *Section 80.* Should the voter spoil his envelope he may have another, but only one more, issued to him on returning the spoiled one. *Section 51.* He may erase from his ballot any name or names, and may write or paste thereon any other name or names, but in doing so he must use black ink or pencil; if colored ink, pencil or paster is used, the ballot shall be void. *Section 59.* He shall not place or permit to be placed upon the face or back of his ballot or envelope any mark by which it may be identified. *Section 58.*

#### **May Vote Although His Name Has Been Checked—**

A legal voter whose name has already been checked as having voted may vote notwithstanding such checking, on satisfying the board that he has not previously voted. *Section 82.*

**When and How He May Be Assisted—**

No voter shall ask for or receive the assistance of any person within the polling-place in the preparation of his ballot, except when he shall make oath and establish to the satisfaction of a majority of the election board that by reason of blindness or other physical disability he is unable to enter and remain in a compartment, or to prepare his ballot therein for voting, without assistance; he may bring with him into the compartment a person of his own selection to assist him. But this provision does not apply to intoxicated or illiterate voters. The person offering such assistance shall not reveal to any other person the name of any candidate for whom such voter has voted. *Sections 81, 335. (See Form No. 24.)*

**Shall Not Exhibit His Ballot or Reveal Its Contents—**

No voter shall, within the polling-room, show his ballot, after it has been prepared for voting, to any person in such a way as to reveal its contents. *Section 198.*

**Shall Not Accept or Contract for a Bribe—**

No voter shall receive, agree or contract for any gift, loan or valuable consideration, office, place or employment for himself or any other person, for voting, agreeing to vote, or for refraining or agreeing to refrain from voting or registering. *Sections 205, 364, 372.*

**When a Naturalized Citizen is Challenged—**

If a naturalized citizen's right to be registered is challenged he is required to prove to the satisfaction of a majority of the board, by affidavit or otherwise, that he is entitled to vote in that district at the next election, or he shall produce his certificate of naturalization, or shall have been duly registered at a previous election in that district. *Section 73.*

**Freedom from Arrest on Civil Process—**

No person having the right to vote shall be arrested by virtue of any civil process on the day on which an election shall be held. *Section 70.*

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## **XII. AGENTS OR CHALLENGERS.**

**Chairman of County Committee May Appoint—**

The chairman of the county committee of any political party having any duly-nominated candidate to be voted for by all the voters within the county or subdivision thereof greater than a single municipality, and any group of candidates nominated by petition, may appoint, in writing, two agents for each polling-place in the county, who may act as challengers. (*See Form No. 17.*) The appointment-

paper shall specify the names and residences of the agents and the election districts for which they are respectively appointed, and shall be filed with the county board of elections five days before the election, and the county board shall thereupon issue to the persons named in the appointment-paper permits for them to act in the capacity named. *Section 63. (See Form No. 18.)*

**Candidate by Petition May Appoint—**

Any candidate duly nominated by petition may likewise appoint two agents, who shall have permits issued to them in the same manner, and who shall have the same privileges; *provided*, that only two agents shall be allowed for each polling-place to represent all the candidates of each petition or group. *Section 63.*

**Their Authority—**

The agents so appointed shall file their permits with the board of registry and election named therein, and shall thereupon have authority to be present in the polling-place during the election, and to be within the railed enclosure during the counting of votes. *Section 63.* They are not entitled to any compensation from public funds. *Section 180.*

**For Municipal or Local Elections—**

For an election within a single municipality or subdivision thereof, the agents may be appointed by the chairman of the committee of each political party having candidates in nomination for municipal offices, or, by any candidate nominated by petition, &c. *Section 63.*

### **XIII. SOLDIERS AND SAILORS.**

**Constitutional Provision—**

In time of war no elector in the actual military service of the State, or of the United States, in the army or navy thereof, shall be deprived of his vote by reason of his absence from such election district; and the legislature shall have power to provide the manner in which, and the time and place at which, such absent voters may vote, and for the return and canvass of their votes in the election districts in which they respectively reside. *Section 220.*

**How Vote May Be Cast—**

Such absent elector shall by an instrument in writing, executed not more than sixty days before the election, and of the form prescribed in section 224, authorize any elector of the election district in which such absent elector resides to cast his vote. The instrument must be attested by two witnesses and duly sworn to. *Section 221.* The form of the affidavit is prescribed in section 222. The ballot and the written instrument of authority must be enclosed in an inner en-

velope and sealed, which inner envelope must be endorsed with the affidavit above referred to. The inner envelope, with its contents, shall then be deposited in an outer envelope, which must be endorsed "Soldier's (or sailor's) vote," and sealed and sent by mail, or otherwise, to the person authorized to cast the vote. *Section 223.* The person to whom the letter is directed may open the outer but not the inner envelope, and shall deliver the inner envelop unopened to the district election board on election day. *Section 225.* The person making such delivery shall, with the inner envelope, also present his affidavit in writing that the ballot therewith presented has been received by him for delivery to the board of election; that he has not in any manner changed, altered or opened the said ballot, or the inner envelope thereof, and that he believes the same have not been changed, altered or opened by any other person. *Section 228.* If, on the presentation of such inner envelope and affidavit, the board find that the name of the person subscribed to the affidavit endorsed on the inner envelope is on the registry list, and if an affidavit be made and subscribed by a voter of the district to the effect that he knows that the person whose vote is so offered is a resident of such district, and if the board shall determine that the person whose vote is so offered is a duly-qualified voter in such election district, then, and not otherwise, the board shall publicly open the inner envelope and deposit the vote or ballot in the ballot-box, and enter the name of such voter upon the poll-book. If the inner envelope has been opened or unsealed before its delivery to the election board, the ballot therein contained shall be rejected. *Section 225.* But no official ballot or official envelope is required. *Section 232.*

#### **Preservation of Affidavits, &c.—**

The affidavits and instruments above described are to be kept and filed by the clerk of election in the same manner and place as poll-books are required to be filed and kept. *Section 226.* The law also declares that all envelopes marked "Soldier's (or sailor's) votes," *not opened at such elections*, shall be likewise kept and filed. *Section 226.* But this latter provision is inconsistent with section 225, which expressly authorizes the elector to whom the outer envelope is addressed to open it, and the outer envelope is the one which by section 223 is required to be endorsed "Soldier's (or sailor's) vote." It is suggested that it would be wise to have the *inner* envelope, as well as the outer envelope, endorsed "Soldier's (or sailor's) vote." The inner envelope would then have upon it the endorsement "Soldier's (or sailor's) vote," and the endorsement of the soldier's or sailor's affidavit.

#### **Receipts to Postmaster—**

Any person to whom there has been delivered an envelope marked as provided by law—that is, endorsed "Soldier's (or sailor's) vote"—shall give the postmaster a receipt therefor. *Section 227.*

**Blank Forms and Envelopes—How Provided—**

The Secretary of State is required to prepare and have printed the necessary blank forms and envelopes, and shall forward the same, with copies of the sections of the law relating to soldiers' and sailors' votes, at least one month before election, to the several regiments, hospitals, posts and naval stations, in sufficient quantity to furnish each soldier and sailor with one copy of each blank form and envelope and one copy of the sections of the law above referred to. *Section 232.*

**Penalties—**

Failure to perform duty by any member of the board of election, presenting to the board any false, forged, altered or changed ballot, envelope or instrument of authority, and intimidation of soldiers or sailors in the exercise of their right to vote, is made punishable by fine and imprisonment. *Sections 229, 230, 231.*

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**XIV. COUNTY CANVASSERS.**
**Time, Place and Character of Meeting—**

The board of county canvassers shall meet on Monday next after the election, at 12 o'clock noon, at the county court house. *Section 103.* The proceedings shall be open and public. *Section 117.*

**How Constituted and Organized—**

The county board of elections shall constitute the board of county canvassers for all general and special elections in this State, and for all local or municipal elections in the cities of this State. The county clerk shall be clerk of the board. *Section 102.* If the county clerk be absent, the board shall appoint a fit person to act as clerk. The chairman shall administer to the clerk of the board (whether it be the county clerk or a person appointed by the board) the official oath prescribed by law. *Section 104.*

**Adjournment—**

If at the time and place appointed for the meeting of the board a major part shall not attend, or if at such time the statements of the result of the election from every election district shall not be produced, the board shall adjourn to some convenient hour on the next day, and at the hour to which such adjournment shall be had, the canvassers then present may proceed with their duties, or they may again adjourn for a period not exceeding three days. *Section 105.* In case of adjournment all statements of the result of the election delivered to such board, or to any member thereof, shall, in the presence of the board and before it shall adjourn, be securely enclosed



and sealed and delivered to the county clerk for safe keeping until the next meeting of the board. *Section 107.*

**County Clerk to Obtain Missing Statement—**

If at the time fixed for the meeting of the board any of the statements of the result of the election have not been filed with the county clerk, he shall forthwith, by special messenger or otherwise, obtain the same for the next meeting of the board at the expense of the county. *Section 106.* If a special messenger be employed, he shall be commissioned, in writing, under the hand and official seal of the county clerk, and shall exhibit his commission to the person to whom he shall apply for such missing statement. *Section 124.* (See *Form No. 25.*) All statements produced and laid before the board shall be filed by the county clerk in his office. *Section 116.*

**Powers of County Canvassers—**

The decision of the majority of the members shall be taken as the decision of the board. Any member may, however, dissent from any decision of the board by stating such dissent in writing and delivering the same to the county clerk to be filed in his office. *Section 117.* Boards of county canvassers may commit disorderly persons who disturb their proceedings to the common jail of the county. *Section 186.*

**Statements of Results of Election Made by County Canvassers—**

The county clerk shall produce and lay before the board all statements of the result of election that have been filed in his office. *Section 103.* The board shall then proceed to make two statements of the result of the election, in the county, each of which statements shall contain the name of each district, the number of the names of the voters on the poll-books of each election district, and of the ballots rejected, and the whole number of such names and rejected ballots in all of said election districts, the number of votes given in each election district for each person voted for, and the whole number of votes given for each person for any office, mentioning the office or offices for which each person was designated. Each statement shall be certified to be true and correct by a certificate appended thereto signed by the members of the board making the canvass. *Sections 108, 109.* One of the statements so made and certified shall be delivered to the county clerk and by him filed in his office, and the other shall be enclosed and sealed up by the chairman of the board, who shall deliver or safely transmit the same to the Secretary of State, so that he shall receive the same within three days after the meeting of the board, to be filed by such secretary in his office. *Section 110.*

In case of any municipal election in any city, the second copy of the statement, instead of being sent to the Secretary of State, should be delivered or transmitted to the city clerk, to be by him filed. *Section 110.* All statements of the result of an election shall be made by boards

of county canvassers upon the statements produced and laid before them. *Section 113.*

#### **Statements of Determination of County Canvassers—**

In case of any election for member of the Senate, members of the General Assembly, or for any county or city officer or officers, the county board shall not only make a statement of the result of the election, but they shall also determine who have been elected and make and certify a statement of such determination. The certificate of such determination shall be signed by the chairman and attested by the clerk. The statement of the determination, with such certificate thereto, shall be annexed to the statement of the result of the election and delivered to the county clerk, to be by him filed. In the case of an election for any city officer or officers, another copy of such determination, as to such officer or officers, shall be likewise made, signed and attested, and filed with the city clerk. *Sections 111, 112.* All such statements shall be made upon the statements produced and laid before the county board. *Section 113.* The county clerk shall, without delay, deliver to each person determined to be elected to the office of Senator, member of the General Assembly, or to any county office, a copy of such statement of determination and of the certificate thereto annexed, which certified copy shall be signed by the county clerk and have the seal of the county thereto affixed. A like certified copy shall be transmitted by the county clerk to the Secretary of State within five days after the meeting of the board. *Section 114.*

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### **XV. STATE CANVASSERS.**

#### **Time and Place of Meeting—**

The State canvassers shall meet in the Senate Chamber, or some other convenient place, in Trenton, at 2 o'clock in the afternoon of the twenty-first day after the election for the purpose of canvassing and estimating the votes given for members of the House of Representatives, electors of President and Vice President, or Governor, and of determining and declaring who have been elected. *Section 119.*

#### **How Constituted and Organized—**

The Governor and four or more members of the Senate, summoned by the Governor and representing different political parties, shall constitute the board of State canvassers. The Governor shall be its chairman, and the Secretary of State, if present, its clerk. *Section 119.* The official oath prescribed by law shall be administered by the chairman to the other members, and by one of such members to the chairman. *Section 120.* After such oaths have been taken, the chair-

man shall administer the proper official oath to the clerk, the board having the power, in the absence of the Secretary of State, to appoint a fit person to act as clerk. *Section 121.*

**Vacancies—How Filled—**

If a number of the members of the Senate summoned by the Governor, sufficient to constitute the board, shall not attend the meeting thereof, the Governor shall summon as members of such board as many fit persons, possessing the qualifications required for members of the Senate, as shall be necessary to complete the number required to constitute the board. *Section 122.*

**Secretary of State to Obtain Missing Statements—**

If the Secretary of State shall not receive from any county board of canvassers its statement of the result of the election in such county within seven days after the meeting of the county canvassers, or if, having received such statement, it shall not include the statement of the result of the election in every election district in such county, he shall forthwith, by special messenger or otherwise, obtain the missing statements. *Section 118.* If a special messenger be employed, he shall be commissioned, in writing, under the hand and official seal of the Secretary of State, and shall exhibit his commission to the person to whom he shall apply for the statement. *Section 124.* (See *Form No. 25.*) All statements received and obtained by him shall be produced and laid before the State board of canvassers. *Sections 118, 123.* If he shall neglect so to do, the chairman of the State board shall summon him to perform that duty. *Section 125.* Such statements, after use by the State board, shall be filed by the Secretary of State, in his office. *Section 128.*

**Meeting to be Public—**

The proceedings of the State board shall be open and public. *Section 129.*

**Powers of State Canvassers—**

The decision of a majority of the members of the State board shall be taken to be the decision of the board. Any member may, however, dissent from any decision by stating his dissent in writing and delivering it to the Secretary of State to be filed in his office. *Section 129.* The board may commit to the common jail of the county any disorderly person who may disturb their proceedings. *Section 186.*

**Statements Made by State Canvassers—**

The State board of canvassers shall make a statement of the result of the election similar in form to that made by the county canvassers, which shall be certified to be true and correct under the hand of the chairman of the board, attested by the clerk thereof. *Section 123.*

The board shall also determine the person or persons elected to office, and make a statement of their determination similar in form to that made by the county canvassers, which statement shall also be certified to be true and correct under the hand of the chairman of the board, attested by the clerk thereof. *Section 123.*

Both of the above statements, with the certificates thereto annexed, shall be filed in the office of the Secretary of State. *Section 123.* Both of said statements shall be made only upon the statements of the result of the election produced and laid before the board. *Section 126.* The Secretary of State shall make and deliver to each person declared to be elected a copy of the statement of determination, which copy shall be certified under his hand and seal of the State. *Section 127.*

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## XVI. RECOUNT OF VOTES.

Whenever any candidate at any election shall have reason to believe that an error has been made by any board of election or of canvassers in counting the vote or declaring the result of the election, or whenever any citizen shall have reason to believe that an error has been made, &c., whereby the result of the election has been changed, such candidate or such citizen may, within ten days after the election, apply to a Justice of the Supreme Court for a recount, and such Justice is authorized to order a recount to be made. *Sections 159 to 161.*

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## XVII. CONTESTED ELECTIONS.

### Governor—

Proceedings relating to a contest in the case of an election for Governor are prescribed in sections 141 to 152.

### Legislature and Congress—

Proceedings relating to a contest in the case of an election of State Senator, member of the General Assembly, or member of the House of Representatives of the United States, are prescribed in sections 153 and 158.

### County, Township, City or Other Municipal Offices—

Proceedings relating to a contest in the case of an election of any officer of any county, city, borough, village, township or other municipality, are prescribed in sections 162 to 177.

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## XVIII. THE LEGISLATURE.

### Election of Members—

Members of the General Assembly are elected annually on the Tuesday next after the first Monday in November. *Section 1.*

#### **Apportionment of Members—**

The members of the General Assembly are apportioned amongst the several counties in the manner set forth in section 249.

#### **Place of Meeting—**

The Senate and General Assembly shall convene and hold their sessions in the State House, at Trenton. *Section 115.*

#### **Evidence of Right of Members to Seats—**

In the organization of each house the certified copies of the statements of determination of the county boards of canvassers, made by the county clerk, or the certificate issued by the justice of the Supreme Court, in case of a recount, shall be deemed and taken to be *prima facie* evidence of the right of the persons therein mentioned to seats in the houses, respectively, to which they have been declared to be elected. *Sections 115, 159.*

#### **Vacancy—How Created—**

If any person elected to the Senate or General Assembly shall neglect or refuse for ten days next after the commencement of the sessions of such house to take his seat therein, or to send to such house a satisfactory excuse, or shall, during any session of such house, be absent unremittingly for ten days (unless expressly excused by such house), or shall remove from and cease to be a resident of this State, or of the county for which he may have been elected, his office shall be deemed vacant. *Section 134.*

#### **Vacancies—How Supplied—**

Whenever any vacancy shall happen in the State Senate or General Assembly, the house in which the vacancy happens shall issue a writ of election supplying the same, unless such house shall be of opinion that the services of a person in the vacant office will not be required during the unexpired portion of the legislative year; if the vacancy happens during the recess of the Legislature, or after the annual election and not less than fifteen days before the commencement of the legislative year, the Governor shall issue such writ of election, unless of opinion that the services of a person in the vacant office will not be required for the unexpired portion of the legislative year; the board of chosen freeholders of any county may, however, require such writ to be issued. *Sections 133, 290, 292.* The writ shall be in the nature of a proclamation, shall be signed by the Governor, President of the Senate, or Speaker of the House of Assembly, as the case may be, shall specify the cause and purpose of the election, the name of the officer in whose office the vacancy has occurred, and the day on which the election shall be held, which shall not be less than fifteen nor more than forty days from the date of the writ. *Section 136.* The writ shall be delivered to the Secretary of State, who shall affix thereto

the seal of this State, and file it in his office and send a certified copy thereof to the clerk of the county in whose representation the vacancy happens. *Section 137.* The county clerk shall publish the copy so received by him, at the expense of the county, in at least four of the newspapers of the county, at least once a week, until the time of election *Section 138.*

## XIX. HOUSE OF REPRESENTATIVES.

### Who Not Eligible—

No person shall be elected a member of the House of Representatives who shall hold any office of trust or profit under the United States. *Section 183.*

### When and How Members are Elected—

Members of the House of Representatives shall be elected on the Tuesday next after the first Monday in November 1910, and at the same time in every second year thereafter. *Section 182.*

### Election—How Certified—

In the case of the election of one or more members of the House of Representatives, a general certificate of the election is signed by the Governor, attested by the Secretary of State, sealed with the seal of the State, and transmitted to the clerk of the House of Representatives, if in session, and, if not in session, then at their first meeting. *Section 130.*

### Vacancy—How Supplied—

Whenever a vacancy shall happen in the representation of this State in the House of Representatives, the Governor shall issue a writ of election to fill the vacancy, unless the term of the person whose office is vacant would have expired within two months after the happening of the vacancy. *Section 135.* The writ shall be in the nature of a proclamation, shall be signed by the Governor, shall specify the cause and purpose of the election, the name of the representative in whose office the vacancy has happened, and the day on which the election shall be held, which shall not be less than fifteen nor more than forty days from the date of the writ. *Section 136.* The writ shall be delivered to the Secretary of State, who shall affix thereto the seal of the State, file it in his office, and send a certified copy thereof to each county clerk in the congressional district affected by the vacancy. *Section 137.* Each county clerk shall publish the copy so received, at the expense of the State, in all newspapers of the county at least once a week until the time of the election. *Section 138.*

### Congressional Districts—

The congressional districts of this State are set forth in section 252.

## XX. PRESIDENTIAL ELECTORS.

### Who Ineligible—

No person shall be elected to the office of an elector of President and Vice President who shall hold any office of trust or profit under the United States, or who shall hold the office of Senator or member of the House of Representatives of the United States. *Section 183.*

### Qualifications of Electors—

Each elector of President and Vice President must be a male citizen of the United States, of the age of twenty-five years or upwards, and an inhabitant of this State, and have been a citizen of the United States seven years next preceding the election. *Section 3.*

### When and How Elected—

They are to be elected on the Tuesday next after the first Monday in November, 1912, and at the same time in each fourth year thereafter. *Section 3.*

### Election—How Certified—

Their election is certified by a general certificate of election, signed by the Governor, attested by the Secretary of State, sealed with the seal of the State, and delivered to the president of the college of electors of this State on the day and at the time and place appointed for the meeting of the college. *Section 130.*

### Time and Place of Meeting—

The electors shall meet at the State House at Trenton, on the day appointed by Congress, at the hour of 3 o'clock in the afternoon, and, after choosing a president and secretary from their own body, shall proceed to perform the duties required of them by the constitution and laws of the United States. *Section 131.*

### Vacancies—How Supplied—

Vacancies happening in the electoral college shall be filled by the other members thereof. *Section 132.*

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## XXI. LOCAL OR CHARTER ELECTIONS IN CITIES AND TOWNS AND IN MUNICIPALITIES HAVING OVER 8,000 INHABITANTS.

The provisions of the Election law relating to the nomination of candidates and the use of official ballots and envelopes apply to all local and special elections in all of the cities of this State. *Section*

85. And also to all towns of this State, and to all other municipalities having a population of more than 8,000 inhabitants. *Section 234.* Charter elections in cities are held at the same time as the general elections. *Sections 238, 294.*

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**XXII. LOCAL OR CHARTER ELECTIONS IN TOWNSHIPS, AND IN MUNICIPALITIES OTHER THAN CITIES AND TOWNS WHICH HAVE A POPULATION OF MORE THAN 8,000 INHABITANTS.**

The township clerk of each township, and the municipal clerk of each municipality (excepting cities and towns and every other municipality which has a population of more than 8,000 inhabitants), must provide a suitable room for the election and arrange it with booths and railings; ballots are to be furnished by candidates or other interested parties and are not official, but they must be printed with black ink on white paper after the manner and style required for the general election; the township or municipal clerk must furnish official envelopes (*Section 85*) and canvassing-books, poll-books, registry-books and all necessary blanks. *Section 62.*

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**XXIII. FIRST ELECTIONS IN NEWLY-CREATED MUNICIPALITIES, AND IN MUNICIPALITIES TO WHICH NEW TERRITORY HAS BEEN ANNEXED.**

On the filing with the county clerk of a certified copy of the act of the Legislature, creating a new municipality, the county board of elections are required to appoint the time, place or places, and manner of holding the first election in such municipality, and the manner of registering the voters therefor. They shall give notice thereof, signed by their chairman and clerk, in five of the most public places within each election district of the municipality and by publication in a newspaper. They are required to prescribe and define the election districts and to appoint boards of registry and election. The boards of registry and election are required to prepare the registry and poll-lists for such first election, to provide ballot-boxes and booths, and to conduct the election and canvass the votes in accordance with the laws of the State relating to municipal elections. *Section 237.*

Procedure where new territory has been annexed to a town. *Sections 237a to 237e.*

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**XXIV. INCOMPATIBLE OFFICES.**

No person shall hold at the same time more than one of the following offices: Elector of President and Vice President of the United



States, member of the House of Representatives of the United States, member of the Senate or of the General Assembly of this State, county clerk, register, surrogate, sheriff or coroner. The acceptance of any such office by a person holding another of them shall vacate the office to which he was previously elected or appointed. *Section 184.* No election officer is eligible to any office to be filled at the election at which he serves. *Section 84.*

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## XXV. ELECTION DISTRICTS.

. When more than six hundred votes have been cast in any election district, it must be divided or readjusted by the township committee, mayor and common council, or other governing body of the municipality. Districts may also be consolidated where necessary. No district shall contain more than six hundred or less than one hundred and fifty voters, and in every division or readjustment the geographical compactness and convenience of the voters shall be considered. A description of the boundaries of every new election district and of every district affected by any division, change or readjustment, shall be filed in the county clerk's office, and a duplicate thereof in the office of the clerk of the township, city or other municipality. *Sections 9 to 12.*

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## XXVI. EXPENSES OF ELECTION.

### Compensation of Members of District Boards—

The compensation of each member of the boards of registry and election for all services performed by them under the provisions of this act shall be as follows: In cities having a population exceeding thirty thousand, for each registry day five dollars, and for each election day, including the counting of the votes and the delivery of the returns and ballot-box with the contents to the municipal clerk, ten dollars; in all other cities, towns and other municipalities the compensation for such members shall be as follows: For each registry day, three dollars, and for the election day, including the counting of the votes and the delivery of the returns and the ballot-box, seven dollars; and for all such services in connection with the general election or any special election held in and for the whole county, such compensation shall be twenty dollars in districts where the number of registered voters is not more than one hundred and fifty, twenty-five dollars in districts where the number of registered voters is more than one hundred and fifty and not more than three hundred, and thirty dollars in districts where the number of registered voters is more than three hundred, the said sum to be paid by the county collector; *provided, however, that whenever the*

registration of voters for any local or charter election shall be held at the same time, in the same place, and by the same board of registration and election as that for any general or special election in and for the whole county, and whenever any such local or charter election shall be held at the same time, in the same place and by the same board of registration and election as that for any general or special election held in and for the whole county, then and in that case the members of the said board of registration and election shall not be entitled to the compensation first above provided for, but shall only be entitled to the compensation as is provided for in connection with the general election or any special election in and for the whole county; said sum to be paid by the county collector, which is to be in lieu of all other fees and charges whatsoever. See *Section 178*.

#### **Compensation for Services of County and Municipal Clerks—**

County and municipal clerks, for their services, are entitled to fair and reasonable compensation, to be determined, in the case of a county clerk, by the board of chosen freeholders, and in the case of a municipal clerk by the governing body of the city, township or municipality. *Section 179*.

#### **Compensation of County Boards of Elections—**

The county board of elections are entitled to reasonable compensation for their services, to be fixed by the board of chosen freeholders. The member acting as secretary thereof may also receive an additional compensation not exceeding one-third of the compensation of the individual members of the board, except in counties of the first class, where each such board shall have a clerk, who shall receive such compensation as shall be fixed by the board of chosen freeholders. *Section 180*.

#### **General Expenses—**

All costs, charges and expenses incurred by county and municipal clerks in carrying out the provisions of the law (except for ballots furnished to individuals on their order), and the compensation of district boards of registry and election, and all other expenses incurred by any officer or person duly authorized in carrying out the provisions of the law, shall be paid, in the case of any general election or any special election held in and for a whole county by the county, and in case of any other election by the city, township or municipality in and for which such other election is held. All bills, before being paid, shall, however, be itemized and verified by the oath of the claimant, and audited and approved by the clerk of the county, township, city or municipality who contracted the bill charged for. No agent or challenger is entitled to any compensation. The board of chosen freeholders shall include in their annual tax levy a sum sufficient to pay all election expenses chargeable to the county and the compensation of the county board of elections. *Section 180*.

## XXVII. VOTING MACHINES.\*

The legislative act authorizes the appointment by the Governor of a "State board of voting machine commissioners." The members of this board are appointed for three years, and are required to take an official oath, and to organize by electing from their number a chairman, a secretary and a treasurer. The secretary is to keep a record of all the meetings of the board and all machines examined by them, and of their action respecting each machine examined. The boards are required to file in the office of the Secretary of State reports of their examinations, and no machine can be used in any election that does not belong to a style or pattern of machine that has been approved by the board. The members of the board are compensated for their services out of the fees charged to the parties whose machines are submitted for examination. The legislative act prescribes the manner in which the machines shall be constructed, the manner in which party emblems, devices and colors for use on ballots shall be adopted, how ballots used on machines shall be printed, how party nominations shall be arranged on the machines, how ballots shall be prepared and furnished, what use may be made of "instruction" ballots, when and how unofficial ballots may be used, by whom such machines may be procured and how kept in repair, how the polling-room shall be arranged and the voting conducted, the duties of municipal clerks in relation to such machines, how voters may be assisted in the use of such machines, the method of proceeding when a machine breaks down, the custody, use and disposition of the keys to voting machines, the duty of the board of election on adjournment for dinner, how results of election are to be certified and returned, penalties for violating the act, and what uses political organizations may make of sample machines for instruction purposes. *Section 312 to 349.*

The State board of voting machine commissioners are authorized to purchase voting machines, with the consent of the Governor, out of moneys appropriated by the Legislature for that purpose, and to deliver them for use to such election districts as the Secretary of State may select. *Sections 318, 319, 320.* Upon the presentation to the governing body of any municipality of a petition, in writing, signed by at least twenty-five per centum of the legal voters of such election district, protesting against the use of such voting machines at elections to be thereafter held, the governing body of such municipality shall make an order that a special election be held in such election district, not less than thirty days nor more than sixty days from the date of said order, to determine upon the retention or rejection of said voting machines. Such special elections shall be held at the usual place of holding elections, and duplicate notices thereof shall be given to the

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\* By act of October 12th, 1907, the State board of voting machine commissioners was abolished and all its duties imposed upon the Secretary of State. See *Sections 382, 383 and 384.*

clerk of such municipality. Said special elections shall be conducted in accordance with the provisions of "An act to regulate elections (Revision of 1898)," and the several acts amendatory thereof and supplemental thereto. The district board of election shall make duplicate statements of the result thereof and certify the same in the usual form and deliver two of said statements to the clerk of the municipality in which said election district is situated, who shall thereupon file one of said statements in his office, and in case a majority of the ballots cast at said election shall have thereon the words "Against the voting machine," deliver or safely transmit the other statement to the Secretary of this State, in case the voting machine has been supplied by the State, or to the county clerk of the county, in case the voting machine has been supplied by the county. If a majority of the ballots cast shall contain the words "Against the voting machine," it shall no longer be the duty of the persons conducting the election in said district to use the voting machines at elections thereafter to be held therein. If a majority of the votes cast shall be "For the voting machine," it shall not be lawful for the governing body of the municipality in which the election district is situated to order another special election until after the lapse of at least two years from the date of the order for such prior special election. *Sections 399 to 406.*

## XXVIII. CRIMES AND PENALTIES.

Crimes, misdemeanors and other punishable acts are defined as follows:

### **Secretary of State and Clerk of State Board of Canvassers—**

Willfully and knowingly certifying, signing or attesting any false or untrue statement of the result of any election, or of the certificate thereto, by the Secretary of State. *Section 189.*

Willfully and knowingly certifying, signing or attesting any false or untrue statement of the determination of any State board of canvassers, or of the certificates thereto, by the Secretary of State. *Section 189.*

Willfully and corruptly suppressing, destroying, mutilating, changing or altering any statement or certificate of the result of any election, or any copy thereof, by the Secretary of State. *Section 189.*

Omission or refusal of the Secretary of State to produce and lay before the State board of canvassers the statements of the results of election. *Section 189.*

### **County Clerk—**

Willfully and corruptly suppressing, destroying, mutilating, changing or altering any statement or certificate of the result of any election, or any copy thereof, by any county clerk. *Section 189.*

Omission or refusal of county clerk to produce and lay before the board of county canvassers any statement or certificate of the result of any election. *Section 189.*

**County Board of Canvassers—**

Willfully and knowingly certifying, signing or attesting any false or untrue statement of the result of any election, or of the certificate thereto, by the chairman or clerk of any county board of canvassers. *Section 189.*

Willfully and knowingly certifying, signing or attesting any false or untrue statement of the determination of any county board of canvassers, or of the certificate thereto, by the chairman or clerk of such board. *Section 189.*

Willfully and corruptly refusing or omitting to certify, sign or attest any certificate required to be certified, signed or attested by any chairman or clerk of the county board of canvassers. *Section 189.*

**District Boards of Registry and Election—Sections 302, 303.**

Knowingly or willfully receiving, or assenting to receive, the vote of any person who is not by law entitled and qualified to vote. *Section 191.*

Willfully and designedly making and signing any false or untrue statement or certificate of the result of any such election. *Section 191.*

Suppressing, destroying, withholding, mutilating, changing or altering any statement or certificate of the result of any election, or any copy thereof. *Section 191.*

Knowingly and willfully making any false or untrue entry in any poll-book. *Section 191.*

Willfully and corruptly writing any figure or mark opposite the name of any person voted for at any election in canvassing and estimating the votes received at such election. *Section 191.*

Refusing or omitting to write any figure or mark opposite the name of any person voted for at any election when the writing of such figure or mark is required by law. *Section 191.*

Corruptly and without sufficient excuse omitting or refusing to deliver or transmit to the county clerk, within the time prescribed by law, the statement of the result of any election. *Section 191.*

Revealing how any person has voted by any member of a district board of election who has knowledge thereof. *Section 201.*

Neglect or failure by any member of a district board of registry and election, duly appointed by the board for that purpose, to deliver or safely transmit the statement of the result of any election within the time required by law. *Section 97.*

Willfully neglecting or refusing to perform any duty respecting soldiers and sailors. *Section 229.*

Fraudulently or corruptly disclosing what other candidates were voted for on any ballot bearing a name not printed thereon. *Section 201.*

Fraudulently or corruptly giving any information concerning the appearance of any ballot or envelope voted. *Section 201.*

Willfully refusing to enter in canvassing-books or upon the registers the name of any person legally entitled to vote. *Section 33.*

Registering the name of any person contrary to the provisions of the law. *Section 33.*

Receiving the vote of any person whose name shall not appear on the revised and corrected register, unless such name shall have been ordered added thereto in the manner provided by law. *Section 33.*

#### **The Printer—**

Appropriating to himself, or giving or delivering, or knowingly permitting to be taken by any printer of official ballots or envelopes, any of said ballots or envelopes by any other person than the county or municipal clerk or his duly-authorized agent. *Section 199.*

Printing, or causing to be printed, any official ballot or envelope in any other form than that prescribed by the county or municipal clerk, or with any other names thereon, or with the names spelled or the names or printing thereon arranged in any other way than that authorized and directed by law. *Section 199.*

#### **General Offenses—Sections 302, 303.**

Willful and corrupt swearing by any person in taking any oath, affirmation or deposition prescribed or authorized by the Election law. *Section 188.*

Willfully and corruptly suborning or procuring any person to swear or affirm falsely in taking any oath, affirmation or deposition prescribed or authorized by the Election law. *Section 188.*

Robbing or plundering any ballot-boxes. *Section 190.*

Unlawfully and by stealth or violence taking or removing from any ballot-box any ballot, envelope or other paper. *Section 190.*

Changing, altering or destroying any ballot or envelope or other paper contained in any ballot-box. *Section 190.*

Willfully and corruptly suppressing, withholding, mutilating, destroying, altering or changing any return statement or certificate, or any copy thereof, made in pursuance of the law. *Section 190.*

Selling, or offering to sell, or exposing for sale, spirituous, vinous, malt or intoxicating liquors on any election day. *Section 192.*

Bringing into the polling-place on election day or on any day of registry, during the hours that the election or registration is in progress or during the counting or canvassing of the votes, any spirituous, vinous, malt or intoxicating liquors. *Section 193.*

Falsely making or fraudulently defacing or fraudulently destroying any certificate of nomination or petition, or any part thereof, or filing or receiving for filing any certificate of nomination or petition, knowing the same or any part thereof to be falsely made. *Section 195.*

Suppressing any certificate of nomination or petition which has been duly filed, or any part thereof. *Section 195.*

Forging or falsely making the official endorsement of any ballot or official envelope. *Section 195.*

Removing or destroying any of the ballots or pencils placed in the election booths with intent to hinder or delay the election, or to hinder or delay any voter in the preparation of his ballot. *Section 196.*

Carrying any official envelope from the polling-room during the election. *Section 196.*

Willfully or negligently violating any duty prescribed by the Election law by any public officer. *Section 197.*

Neglecting or willfully omitting to perform any duty imposed by law upon any public officer. *Section 197.*

Willfully destroying official ballots or envelopes, or either of them, by any person charged with their care. *Section 197.*

Neglecting or willfully refusing to deliver official ballots and envelopes to the clerk of any city, township or municipality by any person who has undertaken to deliver the same. *Section 197.*

Showing his ballot, by any voter within the polling-room after it is prepared for voting in such way as to reveal its contents. *Section 198.*

Soliciting a voter to show his ballot within the polling-place, or within one hundred feet thereof. *Section 198.*

Knowingly voting, or offering to vote, any ballot except an official ballot enclosed in an official envelope where at the election official ballots are required to be used. *Section 198.*

Voting, or offering to vote, any ballot except the same be enclosed in an official envelope where official ballots are not required. *Section 198.*

Placing, or permitting to be placed, any mark upon the face or back of a ballot or official envelope by which the ballot or envelope may afterwards be identified. *Section 198.*

Writing, pasting or otherwise placing upon any official ballot or envelope any mark, sign or device as a distinguishing mark whereby to indicate to any member of any election board or other person how any voter has voted. *Section 200.*

Inducing, or attempting to induce, any voter to write, paste or otherwise place on his ballot or envelope any mark, sign or device of any kind as a distinguishing mark by which to indicate to any member of any election board or other person how any voter has voted. *Section 200.*

Entering into or attempting to form any agreement or conspiracy with any other person to induce, or attempt to induce, any voter to place any distinguishing mark, sign or device on his ballot or envelope, whether or not said act be committed, or attempted to be committed. *Section 200.*

Directly or indirectly giving, lending, or agreeing to give or lend, or offering, promising, or promising to procure, or endeavoring to procure, any money or other valuable consideration or thing to or

for any voter, or to or for any person in order to induce any voter to vote or refrain from registering for any election. *Sections 202, 364 to 377.*

Corruptly doing or committing any of the acts mentioned in the last preceding sentence on account of any such voter having voted or refrained from voting at an election, or registered or refrained from registering for an election. *Sections 202, 364 to 377.*

Directly or indirectly giving or procuring, or agreeing to give or procure, or offering or promising to procure, or endeavoring to procure, any office, place or employment to or for any voter, or to or for any person on behalf of a voter, or to or for any person in order to induce a voter to vote or refrain from voting, or to register or refrain from registering. *Sections 203, 364 to 377.*

Corruptly doing any act mentioned in the last preceding sentence on account of any voter having voted or refrained from voting or having registered or refrained from registering, for any election. *Sections 203, 364 to 377.*

Giving, advancing or paying, or causing to be given, advanced or paid, any money or other valuable thing to any person or to the use of any person with the intent that such money or other valuable thing or any part thereof, shall be expended or used for bribery of voters or for any other unlawful purpose at any election. *Sections 204, 364 to 377.*

Knowingly paying, or causing to be paid, any money to any person wholly or in part expended in bribery of voters at any election. *Sections 204, 364 to 381.*

Directly or indirectly receiving, agreeing or contracting for any money, gift, loan or valuable consideration, office, place or employment, by a voter, for himself or for any other person, for voting or agreeing to vote, or for refraining or agreeing to refrain from voting at any election, or for registering or agreeing to register, or for refraining or agreeing to refrain from registering for any election. *Sections 205, 364 to 377.*

Directly or indirectly making use of, or threatening to make use of, any force, violence or restraint, or inflicting or threatening to inflict, any damage, injury, harm or loss against any employe by any employer, or by any agent, superintendent or overseer of any company or corporation employing workmen, in order to induce or compel such employe to vote or refrain from voting for any particular candidate or candidates at any election. *Section 206, 364 to 377.*

By any sort of duress, constraint or improper influence, or by any fraudulent or improper device, contrivance or scheme, impeding, hindering or preventing the free exercise of the franchise of any voter at any election. *Section 206.*

Compelling, inducing or prevailing upon any voter to vote for or against any particular candidate or candidates at any election by any of the means described in the next preceding sentence. *Section 206.*



Obstructing the entrance to any polling-place, or obstructing or interfering with any voter, or electioneering within any polling-place or publicly within one hundred feet thereof. *Section 207.*

Printing or making any envelope by an unauthorized person of a like character and with the names and words contained on the official envelope. *Section 208.*

Having in possession on or prior to election day an official envelope, or an envelope made in imitation thereof, except by persons duly authorized to have charge or possession thereof. *Section 208.*

Removing, destroying or mutilating any registry list or copy thereof, or removing, destroying or mutilating before the election closes any list of voters posted in accordance with the law. *Section 209.*

Soliciting from a candidate for any elective office any money or other property, or seeking to induce such candidate to purchase any ticket, card or other evidence of admission to any ball, picnic, fair or entertainment of any kind. *Sections 210, 364 to 377.*

Swearing falsely in any affidavit to secure the registration of any person. *Section 35.*

Causing or procuring his name to be registered in more than one election district by any person. *Section 34.*

Causing or procuring his name, or that of any other person, to be registered, knowing that he, or the person whose name is procured to be registered, is not entitled to vote in the election district wherein such registry is made. *Section 34.*

Falsely personating any registered voter. *Section 34.*

Willfully obstructing or interfering with any election clerk on the way from the polls to the office of the city clerk. *Section 101.*

Bribing any person at any election. *Section 219, 364 to 377.*

Willfully neglecting or refusing to perform any duty imposed upon an elector to whom any soldier's or sailor's ballot shall be sent. *Section 229.*

Delivering or presenting to any district board of election any false, forged, altered or changed ballot, envelope or instrument of any soldier or sailor. *Section 230.*

Directly or indirectly controlling, or attempting to control, any enlisted elector in the exercise of his rights of suffrage by menace, bribery, fear of punishment, hope of reward, or any other corrupt or arbitrary measure or resort whatever, or annoying, injuring or otherwise punishing any such absent, enlisted elector for the manner in which he may have exercised his rights. *Section 231.*

## XXIX. PRIMARY ELECTIONS.

### Objects—

The objects for which primary elections are to be held are two, viz.:

- (1) To elect delegates to party conventions to nominate candidate to be voted for by the voters of more than one ward or township; and

(2) to elect party candidates directly and without any convention, where the candidates will be voted for by the voters of not more than one ward or township. *Section 256.*

#### **Time of Primary Election—**

Primary elections are held on the fourth Tuesday of September in each year. Except when a Governor is to be elected, said registry day shall be the second Tuesday in September, from 1 to 9 o'clock p. m. *Sections 257, 268.* They do not apply to any spring or special election, but only to the general fall election. *Sections 256, 279.*

#### **Place of Holding Primary Election—**

The primary election in a particular election district shall be held at the place where the voters of that district are to be registered. *Section 257.*

#### **Voting Places, Booths, Etc., to be Provided—**

The municipal or township clerk shall, at least twenty days before the primary election, secure in each election district a suitable room for the registry of voters and the primary election, and notify the registry or poll clerk or board of registry and election thereof; he shall also arrange the same for a polling-room and erect therein booths and furnish the same with black lead pencils, in the same manner as for the general election. *Section 266.*

#### **Nomination of Candidates at Primary Election—**

Where a candidate for public office is voted for by the voters of a single ward or township only, any ten or more voters of any political party may file with the municipal or township clerk a petition, addressed to such clerk, endorsing any member of their political party for nomination by their party at the primary election; the petition so filed shall request that the name of the person so endorsed be printed on the official ballot of the party to which the petitioners belong; the endorsed person who shall receive the largest number of votes at the primary election shall be the party candidate at the general election. *Sections 257, 259, 276.* Each candidate must also file a written acceptance. *Section 260.* (See *Form No. 26.*)

#### **Nomination of Delegates at Primary Election—**

Where a candidate for public office is to be voted for by the voters of more than one ward or township, any ten or more voters of any political party may file with the municipal or township clerk a petition addressed to such clerk endorsing any member of their political party as a candidate for the position of delegate to a political convention of said party; the petition so filed shall request that the name of the person so endorsed be printed on the official ballot of the party to which the petitioners belong; the endorsed person who shall receive the largest number of votes at the primary election shall be a delegate

to the ensuing political convention of his party. *Sections 257, 259, 276.* Each nominee for position of delegate must also file a written acceptance. *Section 260. (See Form No. 27.)*

#### **Election of County and City Committee—**

In any county in this State the county or city committee of any political party shall be hereafter elected at the primary elections herein provided for, and the members of such county or city committee shall be elected by election districts at such primary elections in the manner provided in this act for the selection of party candidates to be voted for by the voters of a single ward or township; and the chairman of each county or city committee shall, on or before the first day of July in each year, file with the clerks of the several municipalities the number of committeemen to be elected to such county or city committee in each year, as provided by the constitution or by-laws of such committee. *Section 261.*

#### **NOMINATIONS UNDER DIRECT PRIMARY ACT.**

County officers may be nominated by petition filed with the county clerk, endorsing any person or persons for nomination for any office or offices, and requesting that the name of the person or persons so endorsed be printed upon the official primary ballot. This petition must be signed by at least one hundred persons, and must set forth that the signers are qualified voters of said county, and give their residences and post office addresses; that they are members of a political party (naming the same), and that at the last election for members of the General Assembly preceding the execution of said petition, they voted for a majority of the candidates whose names were printed in the first place upon the ticket of such party, and that they intend to affiliate with the said party at the ensuing election; that they endorse the person or persons named in their petition as candidate or candidates for the office or offices therein named, and that they request the name of the person or persons therein mentioned as the candidate or candidates for such nomination or nominations be printed upon the official primary ballot of such political party. The petition must further state the residence and post office address of each person so endorsed, and shall certify that the person or persons so endorsed is or are legally qualified under the laws of the State of New Jersey to be nominated for the position or positions mentioned. The petition must be verified by the oath or affirmation of one or more of the signers thereof, taken and subscribed before a person qualified under the laws of New Jersey to administer an oath, to the effect that such petition is signed in their own proper handwriting by each of the signers thereof; that such signers are to the best of the knowledge and belief of the affiant, legal voters of said county, as stated in the petition, and belong to the political party named in said petition, and that the petition is prepared and filed in absolute

good faith for the sole purpose of endorsing the person or persons therein named, in order to secure his or their nomination, as stated in said petition. This petition must be filed with the county clerk not less than fifteen days before the primary election. *Form No. 30.*

Officers to be voted for by the voters of an entire municipality may be nominated as above stated, except that the petition for nomination must contain not less than fifty signers, and must be filed with the municipal clerk not less than ten days before the primary election. *385 to 389, also 259.*

#### **Number of Delegates—**

Each political party in each election district is entitled to elect the following number of delegates to political conventions: To State conventions one delegate for every 200 votes cast by such party for Governor at the last preceding gubernatorial election and one delegate for each fraction thereof over 100; to all other conventions, one delegate for each 100 votes cast by such party for Governor at the last preceding gubernatorial election and one delegate for each fraction thereof over forty. Each election district shall, however, be entitled to one delegate, but the delegate to any convention from any election district which at the last preceding gubernatorial election cast for the candidate of such party for Governor less than the number of votes above required for one delegate shall have in such convention such vote or fraction thereof as may be determined by the official call of such party for such convention. On or before July 1st of each year the municipal or township clerk shall notify the chairman of the county committee of each political party of the number of delegates such party will be entitled to. If the chairman is dissatisfied with such notification, he may apply to a justice of the Supreme Court to investigate and determine the matter. *Section 262.*

#### **Notice of Primary Election—**

At least ten days before the primary election, the poll clerks shall give notice of the time and place thereof by five or more advertisements posted at conspicuous places in the election district. *Section 268. (See Form No. 28.)*

#### **Official Ballots—**

The ballots for primary election shall be prepared for each political party by the municipal or township clerk from the petitions filed with him; the names on the ballots are to be arranged alphabetically, or in groups, as provided for by the law. No other ballots can be used, except when the official ballots are not delivered in time for the primary election, or when they are destroyed or stolen. *Sections 257, 262, 263, 277.* Said ballots shall be printed on plain white paper, uniform in size and quality and type, of such thickness that the printing can not be distinguished from the back of the paper, and without any dis-

tinguishing mark, figure or device thereon. On the back thereof shall be printed the words "Official ballot of the — party for primary election, 1909," together with the name of the election district for which the ballot is provided, all which shall be followed by a fac-simile of the signature of the municipal or township clerk. *Section 264.* The number of ballots to be provided for each party in each election district shall be double the number of votes cast by each party at the last preceding election for members of the General Assembly; where an election district has been divided, or its boundaries changed, or a new district created, the number shall be as nearly as possible double the number of votes cast at the last preceding election for members of the General Assembly by each party within such divided, changed or new district. No official envelopes are required. *Section 265.* Errors in official ballots may be corrected by order of a Justice of the Supreme Court. *Section 273.*

#### **Delivery of Ballots and Ballot-Boxes—**

The municipal or township clerk shall deliver to the clerks of the board of registry and election, on the morning of the day preceding the primary election, the ballots and ballot-boxes for the respective election districts in his municipality or township, taking receipts therefor and preserving the receipts for a year. The election clerks, on the morning of the primary election and before proclamation of the opening of the polls, shall deliver the ballots and ballot-boxes to the boards of election of their respective districts, with the seals upon the packages of ballots unbroken, taking receipts therefor, which receipts shall be filed with the municipal or township clerk and be preserved for a year. A separate ballot-box shall be provided for each political party and shall be constructed as required by law. *Section 267.*

#### **Official Oath—**

Before opening the primary election, each of the four members of the board of registry and election must take and subscribe an official oath, which may be administered by any duly qualified person or by one of the members of the board to the others. The oath must be of the form prescribed by law. *Section 268.* (See *Form No. 29.*)

#### **How Conducted—**

Primary elections shall be conducted by the boards of registry and election, substantially as general elections are conducted, with official ballots, ballot-boxes, registry-lists and polling-booths. *Section 257.* The two members of each political party shall conduct the primary elections of their respective parties, have sole charge of the ballot-boxes of their respective parties, receive and deposit the ballots deposited by the voters of their respective parties, and have the right to challenge voters offering to vote their respective party tickets. All of the members of the board shall conduct the primary election of every other political party. *Section 268.*

**Who May Vote—**

Only registered voters can vote at a primary election. *Sections 257, 278.* And only such persons as are entitled to vote at the special, general and local elections in this State. *Section 214.*

**How to Vote—**

Each voter on entering the room where the primary election is being conducted, shall request of the board of registry and election the party ticket he desires to vote, and thereupon he shall receive one official ballot of that party and no other; he shall then retire to the booth, prepare his ballot by erasing the names of the persons for whom he does not intend to vote and then deposit his ballot in the ballot-box of his party. *Sections 257, 262, 276.* Before depositing the ballot he must so fold it as to expose the endorsement on the back thereof. In case the voter should render his ballot unfit for use he may secure others, one at a time, but not more than three ballots altogether. *Section 269.*

**Assistance to Voters—**

If a voter makes oath or affirmation that he is unable to read and write, and shall request the assistance of the board of registry and election in preparing his ballot, the board shall designate one of their number to retire with the voter to the booth and assist him in preparing his ballot. *Section 269.*

**Registration of Voters—**

The board of registry and election shall indicate in the registry-book the name of the political party with which each voter identifies himself by writing opposite to such voter's name a proper initial letter, as "D" for Democratic party; "R" for Republican party; "P" for Prohibition party, etc. *Sections 257, 268.* No person may vote unless registered. *Section 269.*

**Challenges—**

If a voter at a primary election be challenged he shall make oath in the form prescribed. *Sections 257, 268.* Persons authorized to challenge voters are the election officers (*Section 268*), the two agents appointed by the chairman of the county committee of each political party (*Section 280*), and every person whose name is printed on the official primary ballot (*Section 280*). The appointment of agents by the chairmen of the county committees may be made in writing and be filed with the respective boards of registry and election. *Section 280.*

**Canvassing Ballots and Making Statements Thereof—**

The board of registry and election shall canvass the ballots cast for each party at a primary election, deliver to the municipal or township clerk a statement of the results thereof, and also deliver a copy of such statement to each of the successful candidates at the election. Such copy shall entitle the person holding it to be the candidate of his

party at the ensuing general election or to be a delegate at the ensuing political convention of his party, as the case may be. *Sections 257, 270, 271.*

**Who Considered Duly-elected Delegates to Conventions—**

The persons receiving the highest number of votes for the position of delegate to any convention shall be the duly-elected delegates to such convention, subject to the right of the convention to be the judge of the qualifications of its own members in the case of a contest. Persons receiving tie votes shall be deemed duly elected, but shall have fractional votes only. *Section 271.* Delegates' credentials shall consist of copies of the statements of the results of the election made by the boards of registry and election or certified copies thereof made by the municipal or township clerk. *Section 271.*

**Who Considered Duly-elected Candidates for Public Office—**

Where, at a primary election, candidates for public office are elected, the person in each political party receiving the highest number of votes shall be his party's candidate for such office, and his name shall be printed on the official ballot of his party. In case of tie votes, the proper committee of the political party shall select from the candidates one to be the party candidate, and file a statement of such selection with the municipal or township clerk. If the proper committee fail so to do, the municipal, township or county clerk shall make the selection. *Section 272.*

**Procedure Where Candidate Dies or Declines—**

If a candidate for office in a single ward or township die or decline after the primary election and before the general election, the proper committee of the party to which the person dying or declining belongs shall file a new nomination with the municipal or township clerk. *Section 272.* If a person endorsed in a petition as a candidate to be voted for at a primary election die or decline before such primary election, the vacancy shall be filled by a majority of the persons who signed the petition of the person so dying or declining, signing and filing a new petition, to be verified by three of the signers thereto. *Section 274.* If a person elected as delegate to a convention die or decline after the primary election and before the date of the convention, his place shall be filled by a majority vote of the other delegates selected from the election district in which the person so dying or declining was elected. *Section 275.*

**Penalties—**

Penalties are imposed for illegal voting at a primary election (*Section 215*), illegal acts of primary election officers (*Section 217*), bribery (*Section 218*), perjury (*Section 268*), illegal voting (*Sections 276, 278*), illegal signing of petitions (*Sections 276*).

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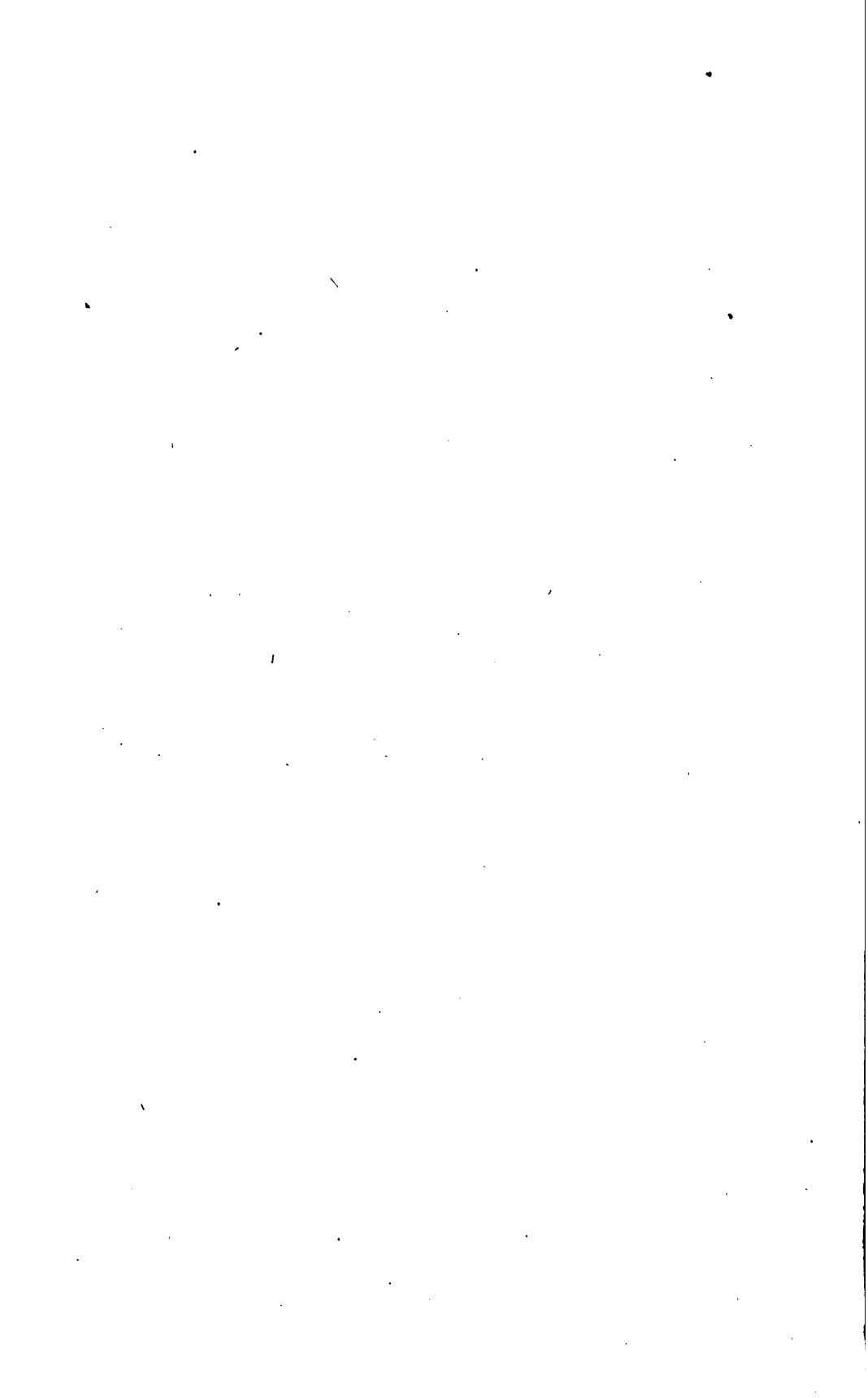
# FORMS.

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## FORMS.

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### No. 1.—Notice of Election by Secretary of State to County Clerk.

[This notice is required by Section 5 to be given in the month of August. Within fifteen days after its receipt the county clerk is required, by the same section, to transmit a certified copy of it to the clerk of each township, city or other municipality in the county.]

To.....

Clerk of the County of.....

In conformity with the provisions of an act entitled "An act to regulate elections (Revision of 1898)," approved April 4th, 1898, you are hereby notified that electors of President and Vice President of the United States, a Member of the House of Representatives of the United States for the ..... Congressional District, and a Member of the Senate of this State for the County of..... (or as the case may be) are to be elected at the next general election to be held November 2d, 1909.

Dated at Trenton, New Jersey, August ....., A. D. 1909.

.....  
*Secretary of State of New Jersey.*

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### No. 2.—Notice of Election by County Clerk to Township, City and Other Municipal Clerks.

[This notice is required by Section 6 to be given in the month of August.]

To.....

Clerk of the Township of (City or other Municipality) of.....

In conformity with the provisions of an act entitled "An act to regulate elections (Revision of 1898)," approved April 4th, 1898, you are hereby notified that a sheriff (three coroners, a county clerk, a register of deeds, a surrogate, or as the case may be) are to be elected at the next general election to be held November 2d, 1909.

Dated at ....., in the county of ....., and State of New Jersey, August ....., A. D. 1909.

.....  
Clerk of the County of.....

**No. 3.—General Notice of Election by Township, City or  
Municipal Clerk.**

{This notice is required by Section 7.}

Notice is hereby given that an election will be held in the township (city, or other municipality) of ....., in the county of ....., on Tuesday, the second day of November, A. D. 1909, between the hours of 6 o'clock in the morning and 7 o'clock in the evening, for the purpose of electing (name all offices to be filled at the election). Said election will be held at the following places:

In District No. 1, in said township (or, in District No. 1. in the ..... ward of said city or other municipality), at .....

In District No. 2, in said township (or, in District No. 2 in the ..... ward of said city or other municipality), at .....

In District No. 3, in said township (or, in District No. 3 in the ..... ward of said city or other municipality), at .....

Witness my hand this ..... day of October, A. D. 1909.

.....  
Clerk of the Township (City or other  
Municipality) of.....

**No. 4.—Certificate by the Secretary of State to the County Clerks  
of Names of Candidates.**

[This certificate is required by Section 43.]

STATE OF NEW JERSEY,  
DEPARTMENT OF STATE.

A statement of all the candidates nominated by certificate or petition filed in the office of the Secretary of State in pursuance of an act entitled "An act to regulate elections (Revision of 1898)," approved April 4th, 1898, for whom voters within the county of ..... are by law entitled to vote at the general election to be held on the second day of November, 1909.

FOR THE OFFICE OF GOVERNOR.

Names of Candidates.	Residences.	Names of Parties Nominating.
.....	.....	.....
.....	.....	.....
.....	.....	.....

FOR THE OFFICE OF MEMBER OF THE HOUSE OF REPRESENTATIVES  
OF THE UNITED STATES.

Names of Candidates.	Residences.	Names of Parties Nominating.
.....	.....	.....
.....	.....	.....
.....	.....	.....

I HEREBY CERTIFY that the foregoing statement is correct and true.  
Witness my hand and seal of office this ..... day of October,  
1909.

.....  
Secretary of State.

**No. 5.—Certificate by County Clerk to Secretary of State of  
Names of Candidates.**

[This certificate is required by Section 42.]

*To the Secretary of State of the State of New Jersey:*

Pursuant to the provisions of the act entitled "An act to regulate elections (Revision of 1898)," approved April 4th, 1898, I hereby certify the names, places of residence and post-office addresses of the several candidates nominated for Senator and members of the General Assembly to be voted for in the county of ....., at the general election to be held on the second day of November, 1909, and also the title of the party nominating said candidates, and whether by convention or petition, with the dates of holding such conventions and of the filing of certificates of nominations and petitions.

FOR SENATOR.

Names	Residences.	Post-Office Addresses.	Party Nominating.	By Convention or Petition.	Date of Holding Convention.	Date of Filing Certificate of Nomination or Petition.
.....	.....	.....	.....	.....	.....	.....
.....	.....	.....	.....	.....	.....	.....
.....	.....	.....	.....	.....	.....	.....

## FOR MEMBERS OF THE GENERAL ASSEMBLY.

Names	Residences.	Post-Office Addresses.	Party Nom- inating.	By Conven- tion or Petition.	Date of Holding Con- vention.	Date of Filing Certificate of Nomination or Petition.
.....	.....	.....	.....	.....	.....	.....
.....	.....	.....	.....	.....	.....	.....
.....	.....	.....	.....	.....	.....	.....

Witness my hand at ....., in the county of .....  
this ..... day of November, A. D. 1909.

.....  
Clerk of the County of .....

**No. 6.—Notice by Township, City or Municipal Clerk to District  
Board of Registry and Election of Location of  
Room for Registry and Election.**

[This notice is required by Section 8.]

To the District Board of Registry and Election of Election District  
No ....., Township (or Ward) of .....County (or  
City) of .....

You are hereby notified that I have procured a room at .....  
in the above-stated election district, in which your board shall meet  
to make and revise the register of voters for the general election to  
be held on November 2d, 1909, and also in which to hold said election.

Dated ....., A. D. 1909.

.....  
Clerk of the Township (or City) of .....

### No. 7.—Affidavit of Voter for Registration.

[Form of affidavit of a voter to show the right of another to have his name entered on the register. Sections 21, 22, 23, 24, 26, 29, 32.]

STATE OF NEW JERSEY, } ss.  
..... County, }

....., being duly sworn, on his oath saith, that he is a legal voter in the ..... District, Township of ....., County of ....., and that his address is at ....., in said District; that he is well acquainted with ....., who resides at ....., in the township and county aforesaid, and that he, the said ....., has resided in the State of New Jersey for one year last past and in the county of ..... for five months last past; that he is a citizen of the United States and is a legal voter in said election district.

Sworn and subscribed before me, }  
this .... day of ....., A. D. 1909. }

### No. 8.—Certificate of Nomination by Party Convention.

[This form is prepared for use in cases of nominations by party conventions. It is easily adapted to cases of nominations by party conventions for the whole State, for Congressional districts, for counties, or for townships and municipalities. When the certificate is filed with the Secretary of State, it should be done at least twenty-five days before the election; when with the county clerk, at least fifteen days before the election; and when with the municipal clerk, at least thirteen days before the election. See Section 42.]

THIS CERTIFIES, That at a Convention of Delegates held at ....., in the county of ....., on the ..... day of ..... 1909, and representing the ..... party, a political party which at

[Not more than three words.]

the general election next preceding the holding of said convention polled for members of the General Assembly at least two per centum of the total vote cast in the ....., the following nominations were made:

Office to be Filled.	Name of Candidate.	Residence.	Post-Office Address.
.....	.....	.....	.....

[Print or write all the above entries very plainly.]

Witness our hands this ..... day of ....., A. D. 1909.

.....  
*Presiding Officer of the Convention.*  
*Residence....., P. O. Address.....*

.....  
*Secretary of the Convention.*  
*Residence....., P. O. Address.....*

STATE OF NEW JERSEY, } ss.  
 ..... County, }

I, ....., being duly sworn, depose and say that I was the Presiding Officer of the Convention named in the foregoing certificate, and that said certificate and the statements therein contained are true, as I verily believe.

Sworn and subscribed before me, }  
 this ..... day of ....., A. D. 1909. }

STATE OF NEW JERSEY, } ss.  
 ..... County, }

I, ....., being duly sworn, depose and say that I was the Secretary of the Convention named in the foregoing certificate, and that said certificate and the statements therein contained are true, as I verily believe.

Sworn and subscribed before me, }  
 this ..... day of ....., A. D. 1909. }

I, ....., the candidate mentioned in the foregoing certificate, do hereby accept the nomination for the office for which I am therein named.

Dated, ....., 1909.

#### No. 9.—Certificate of Nomination to Fill Vacancy.

[To be filed with the proper officer at least thirteen days before election.  
*Section 45.*]

THIS CERTIFIES, That at a Convention of Delegates held at ....., in the county of ....., on the ..... day of ..... 1909, and representing the ..... party, a political party which at

[Not more than three words.]

the general election next preceding the holding of said convention polled for members of the General Assembly at least two per centum of the total vote cast in the ....., the undersigned were appointed a committee to fill vacancies;

AND WHEREAS, a vacancy exists in the nomination by said convention for the office of ....., occasioned by the ..... of

the said ....., who was nominated as aforesaid, which  
[State reason.]  
[Name of candidate.]

nomination was duly certified and filed in the office of .....; Therefore, we, the committee aforesaid, do hereby make the following substitute for the said ....., nominated as aforesaid:

Office to be Filled.	Name of Candidate.	Residence.	Post-Office Address.
.....	.....	.....	.....

[Print or write all the above entries very plainly.]

Witness our hands this ..... day of ....., A. D. 1909.

.....  
Chairman of Committee to fill Vacancies.

.....  
Secretary of Committee to fill Vacancies.

STATE OF NEW JERSEY, } ss.  
..... County, }

I, ....., being duly sworn, depose and say that I am the Chairman of the Committee to fill Vacancies, appointed by the convention named in the foregoing certificate, and that the said certificate and the statements therein contained are true, as I verily believe.

Sworn and subscribed before me, }  
this ..... day of ....., A. D. 1909. } .....

.....

STATE OF NEW JERSEY, } ss.  
..... County, }

I, ....., being duly sworn, depose and say that I am the Secretary of the Committee to fill Vacancies, appointed by the convention named in the foregoing certificate, and that the said certificate and the statements therein contained are true, as I verily believe.

Sworn and subscribed before me, }  
this ..... day of ....., A. D. 1909. } .....

.....



I, ....., the candidate nominated to fill the vacancy mentioned in the foregoing certificate, do hereby accept the nomination for the office for which I am therein named.

Dated, ....., 1909.

#### No. 10.—Nomination by Petition.

[Form of certificate of nomination by petition. May be adopted to the entire State or to any district or subdivision thereof more or less than a single county. *Section 41.*]

*To the Secretary of State of the State of New Jersey:*

[Or to such other officer as may be proper under *Section 41.*]

The undersigned, legal voters of the State of New Jersey, residing within the county of ....., do hereby nominate the following-named persons for the several offices mentioned, to be voted for at the election to be held on the second day of November, 1909.

Office to be Filled.	Name of Candidate.	Residence.	Post-Office Address.
.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....

[Print or write all the above entries very plainly.]

And we do hereby certify that each of the candidates above named is legally qualified to hold the office for which he is nominated, and that your petitioners are legally qualified to vote for said candidates. The title of the party (or principle) which said candidates represent is .....

[*Not more than three words.*]

Witness our hands this ..... day of ....., A. D. 1909.

Signature.*	Residence.	Post-office Address.	Street No. (if any).
.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....

[\* A voter may sign one petition for each officer to be nominated, and no more, but all the names need not be signed to one petition. *Section 41.*]

[At least five of the voters signing the petition shall take and subscribe the following oath. *Section 41.*]

STATE OF NEW JERSEY, }  
 ..... County, } ss.

..... and ....., being duly sworn, on their oaths, respectively, do say that the foregoing petition is made in good faith, and that they verily believe all the signatures thereto to be genuine and those of duly-qualified voters.

.....  
 .....  
 .....  
 .....

Sworn and subscribed before me, }  
 this ..... day of ....., A. D. 1909. }

We, the candidates mentioned in the foregoing certificate, do hereby accept the nominations for the offices for which we are therein respectively named.

Dated, ....., 1909.

.....  
 .....  
 .....

#### No. 11.—Nomination by Petition to Fill Vacancy.

[To be addressed to and filed with the proper officer at least thirteen days before election. *Section 45.*]

WHEREAS, Certain legal voters of the county of ..... did, on the ..... day of ....., 1909, in the manner and form prescribed by law, nominate ..... for the office of ....., and filed a certificate thereof with ....., as required by law; AND WHEREAS, a vacancy exists in the nomination aforesaid, occasioned by the ..... of said .....: Therefore, we, the undersigned, [State reason.] [Name of candidate.] legal voters of the State of New Jersey, residing within the county of ....., do hereby make the following substitute for the said ....., nominated as aforesaid:

Office to be Filled.	Name of Candidate.	Residence.	Post-Office Address.
.....	.....	.....	.....

[Print or write all the above entries very plainly.]

And we do hereby certify that the candidate above named is legally qualified to hold the office for which he is nominated, and that your petitioners are legally qualified to vote for said candidate.

The title of the party (or principle) which said candidate represents is .....

[Not more than three words.]

Witness our hands this ..... day of ....., A. D. 1909.

Signature.*	Residence.	P. O. Address.	Street No. (if any).
.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....

[\*A voter may sign one petition for each officer to be nominated, and no more, but all the names need not be signed to one petition. *Section 41.*]

[Here must be appended the oath of five voters, and the acceptance of the candidate. See *Form No. 10.*]

#### No. 12.—Certificate of Appointment of Board of Registry and Election.

[The county board of elections appoint the several boards of registry and election. *Section 17.*]

THIS IS TO CERTIFY, That the County Board of Elections of the county of ..... have this day appointed the following persons, viz., ..... to be members of the Board of Registry and Election for the ..... Election District in the ..... of ....., in said county of ....., from and including September 1st, 1909, to and including August 31st, 1910, or until their successors are appointed and qualified.

Dated the ..... day of August, A. D. 1909.

.....  
Chairman of County Board.

.....  
Secretary of County Board.

**No. 13.—Certificate of County Board of Elections That Name of Voter Has Been Added to Register.**

[This certificate should be presented to the proper board of registry and election, and that board, if satisfied that the person therein named is entitled to vote in their election district, and not otherwise, should receive and file the certificate, add the person's name to their copy of the register, and allow him to vote. See Section 25.]

To the Board of Registry and Election in Election District No. ....  
Township (or Ward) of ..... County (or City)  
of .....

We, the County Board of Elections in and for the county of ....., DO HEREBY CERTIFY that ..... has applied in person to us for the purpose of having his name placed on the register of voters in and for your Election District; that proper evidence has been submitted to us satisfying us that he is a legal voter entitled to vote at the election to be held in your Election District on November 2d, 1909; that it appears to us that his name has been improperly or inadvertently left off the registry list for said election in your Election District; and that we have added his name to the copy of the register for your Election District filed with us.

In witness whereof, we have caused this certificate to be signed by our Chairman and Secretary this ..... day of .....  
A. D. 1909.

.....  
Chairman.  
.....  
Secretary.

**No. 14.—Notice of Application to County Board of Elections to Have Name of Registered Person Stricken From the Register.**

[This notice should be delivered personally to the person whose name it is desired to have erased from the register; or, in default of such service, it must be left with some person over fourteen years of age at the assigned place of residence of the person whose name it is desired to have erased. The service must be made "at least two entire days" before the meeting of the county board. That is, for the meeting of the county board on Thursday, October 28th, the notice must be served not later than October 26th, and for the meeting on Saturday, October 30th, not later than October 28th. See Section 25.]

To.....

You are hereby notified that I, the subscriber, a qualified voter of Election District No. ...., in the township (or ward) of ..... in the county (or city) of ....., will apply to the County

Board of Elections in and for the county of ....., at their meeting to be held at the county court house of said county [or, if they do not meet there, state the place], on Thursday, October 28th, 1909 [or Saturday, October 30th, 1909], at eight o'clock in the morning, or as soon thereafter as said board can hear said application, to have your name stricken from the register of voters of said Election District, on the ground that you have not been a resident of the State of New Jersey for one year [or, as the case may be].

Witness my hand this ..... day of ....., A. D. 1909.

.....

**No. 15.—Certificate of County Board of Elections That a Name Has Been Erased From the Register.**

[This certificate should be presented to the proper board of registry and election, and that board should then receive and file it and erase from their copy of the register the name of the person therein given, and refuse to receive his vote if it should be presented. See Section 25.]

To the Board of Registry and Election in Election District No. ....  
Township (or Ward) of ....., County (or City)  
of .....

We, the County Board of Elections in and for the county of ....., DO HEREBY CERTIFY that it has appeared to us by affidavit of ....., a qualified voter of your Election District, that notice in writing was given by him to ..... on the ..... day of ....., A. D. 1909, by delivering the same to said ..... personally [or, if not delivered personally, then say, *by leaving the same at ....., his assigned place of residence, with ....., a person above the age of fourteen years, on the ..... day of ..... A. D. 1909*], stating that at our meeting held on this day application would be made to have the name of said ..... stricken from the register of voters for your Election District, on the ground that he has not been a resident of the State of New Jersey for one year [or, as the case may be]; that we have accordingly examined into the said matter; that it has appeared to our satisfaction that said ..... has not been a resident of the State of New Jersey for one year [or, as the case may be], and that for that cause he is not entitled to vote in your Election District on November 2d, 1909. And we further HEREBY CERTIFY that the name of said ..... has, by our order, been erased from the copy of the register for your Election District on file with us, on the ground that he has not been a resident of New Jersey for one year [or, as the case may be].

In witness whereof, we have caused this certificate to be signed  
by our Chairman and Secretary this ..... day of .....  
A. D. 1909.

.....  
Chairman.

.....  
Secretary.

**No. 16.—Oath of Members of County Boards of Elections and of  
District Boards of Registry and Election.**

[This oath, when duly executed, shall be forthwith forwarded to the county clerk,  
who is directed to file it in his office. *Section 16.*]

STATE OF NEW JERSEY, } ss.  
..... County, }

I, ....., do solemnly and sincerely promise and swear  
[or *affirm*] that I will faithfully and impartially discharge all the duties  
of a member of the Board of Registry and Election for Election Dis-  
trict No. ...., in the township of ....., in the county of .....  
[or, of a member of the County Board of Elections of the county of  
.....], to the best of my skill and ability.

Sworn and subscribed before me, }  
this ..... day of ....., A. D. 1909. }

**No. 17.—Appointment of Agent or Challenger.**

[This paper shall be filed with the county board of elections FIVE DAYS BEFORE THE  
ELECTION, and the county board of elections shall issue a permit in accordance  
therewith to the person named therein. *Section 63.*]

To .....

Residence .....

By virtue of the authority vested in me by law, I do hereby appoint  
you as one of the two Agents or Challengers to represent the  
..... party at Election District No. ...., in the township  
of ....., and county of ....., at the general election  
to be held November 2d, 1909.

Witness my hand, this ..... day of ....., 1909.

.....  
Chairman of ..... County ..... Committee.

[This form, with the necessary alterations, may also be used for the appointment  
of Agents by candidates nominated by petition.]

### No. 18.—Permit to Agent or Challenger.

[This permit must be presented by the person named therein to the election board of the district named therein, and he shall then be permitted to remain within the polling place while the election is in progress, and to be within the railed enclosure while the ballots are being counted. *Section 63.*]

....., having presented to the County Board of Elections of the county of ....., a paper under the hand of the Chairman of the ..... County Committee of the said county of ....., appointing him as one of the two Agents or Challengers to represent the ..... party of Election District No. ...., in the township of ....., and county of ....., at the general election to be held on November 2d, 1909, he, the said ....., is hereby permitted to act as such Agent or Challenger at the election in said Election District, in accordance with the law of this State.

In witness whereof, the County Board of Elections of the county of ..... have caused this certificate to be signed by its Chairman and Secretary, on this ..... day of ....., A. D. 1909.

.....  
Chairman.

.....  
Secretary.

[This form, with the necessary alterations, may also be used for Permits to Agents appointed by candidates nominated by petition.]

### No. 19.—Certificate of Removal of Voter.

[The Election Board to whom this certificate is presented may require the voter to make a statement, under oath, to satisfy themselves of his right to vote. The presentation of the certificate shall be noted on the register, the certificate shall be preserved, and at the close of the election shall be attached to the register and filed therewith with the county clerk. *Section 36.*]

Election District No. ...., Township (or Ward) of ....., County (or City) of .....

....., who has been duly registered as a legal voter in this Election District, having applied to this Board to have his name erased from said registry for the reason that he has removed from said election district: *This Certifies* that his name has been so erased, and that he is entitled to have his name entered upon the registry of any Election District in this county of which he may now be a legal resident, and to vote therein.

In witness whereof, we have hereunto set our hands this .....  
day of ....., 1909.

.....  
.....  
.....  
.....

*Board of Registry and Election.*

#### No. 20.—Receipt for Ballots and Envelopes.

[This receipt for ballots and envelopes should be given by the party receiving them to the party delivering them. See Section 54.]

I, ....., clerk of the city of ..... [or, *clerk of the township of* .....; or, *one of the clerks of the board of registry and election of Election District No. ...., in the township of* .....; or, *as the case may be*], do hereby acknowledge that I have received on this day from ....., county clerk of the county of ..... [or, *city clerk of the city of* .....; or, *township clerk of the township of* .....; or, *as the case may be*], sealed packages of ballots and envelopes having thereon respectively the following directions:

.....  
.....  
.....  
.....

Dated November ....., A. D. 1909.

.....

*Clerk of [as the case may be].*

#### No. 21.—Heading in Poll-Book.

[This form is prescribed in Section 67.]

Names of voters at an election held in the ..... District of .....  
in the county of ....., on the ..... day of ....., in the year of  
our Lord one thousand ..... hundred ....., for ..... (naming  
the offices to be filled).



**No. 22.—Entry in Poll-Book on Adjourning for Dinner.**

[This form is prescribed in Section 77.]

The whole number of the names of the voters in this poll-book whose votes have been received during this election, up to the time of our adjournment for dinner, being at 1 o'clock in the afternoon, is two hundred and twenty-six (or, as the case may be).

.....  
*Judge of Election.*  
 .....  
*Inspector of Election.*  
 .....  
 .....  
*Clerks of Election.*

---

**No. 23.—Entry in Poll-Book at Close of Election.**

[This form is prescribed in Section 86.]

The whole number of names of the persons whose votes have been received during this election is three hundred and forty-five (or, as the case may be).

.....  
*Judge of Election.*  
 .....  
*Inspector of Election.*  
 .....  
 .....  
*Clerks of Election.*

---

**No. 24.—Oath of Person Who Claims Assistance by Reason of Blindness or Other Physical Disability.**

[This oath is required by Section 81.]

You do solemnly swear that you are blind (or name any other physical disability), and that by reason thereof, you are unable to enter and remain in a booth, or to prepare your ballot therein for voting at this election, without assistance. So help you God.

The oath to a blind voter, or a voter suffering from other physical disability, may be administered with the ceremony of lifting up the hand and swearing by the ever-living God, instead of that of touching and kissing the Book of the Gospels. When the oath is administered with the ceremony of lifting up the hand it should be in the following form:

You do solemnly swear by the ever-living God that you are blind (or name any other physical disability), and that, by reason thereof, you are unable to enter and remain in a booth, or to prepare your ballot therein for voting at this election, without assistance.

Where the blind voter, or voter suffering from other physical disability, has conscientious scruples against taking an oath, he may affirm in the following form:

I, ....., being conscientiously scrupulous of taking an oath, do solemnly, sincerely and truly declare and affirm that I am blind (or name any other physical disability), and that, by reason thereof, I am unable to enter and remain in a booth, or to prepare my ballot therein for voting at this election, without assistance.

#### No. 25.—Commission of Messenger to Obtain Missing Statement of the Result of an Election.

[This form is authorized by Section 124.]

To ....., *Esquire*:

WHEREAS, No statement of the result of the election held on November 2d, 1909, in District No. ...., in the township (city, or as the case may be) of ....., in the county of ..... has been filed in my office:

Therefore, pursuant to the provisions of the act entitled "An act to regulate elections (Revision of 1898)," approved April 4th, 1898, I, ....., Secretary of State of the State of New Jersey (or, Clerk of the County of .....), do hereby appoint and commission you as my special messenger to obtain a statement of the result of the election held on November 2d, 1909, in said District No. ...., in the township (city, or as the case may be) of ..... in the county of ....., to the end that the same may be forthwith filed in my office according to law.

In witness whereof, I have hereunto set my hand and affixed my official seal on this ..... day of November, A. D. 1909.

.....  
Secretary of the State of New Jersey  
(or, Clerk of the County of .....).

## No. 26.—Petition Nominating Candidate for Public Office.

[See Sections 257, 259, 276.]

To .....

(City, borough, town or township clerk.)

Clerk of .....

(City, borough, town or township.)

We, the undersigned, hereby certify: That we reside in .....  
 election district in the ..... ward of the .....

(City, borough, town or township.)

and that we are qualified voters therein; that we are members of  
 the ..... party and that at the last election for members of  
 the General Assembly we voted for a majority of the candidates  
 whose names were printed upon the ticket of said party, and that  
 we intend to affiliate with the said party at the ensuing election;  
 that we endorse the person hereinafter mentioned as candidate  
 for nomination to the office of ..... and we request that  
 you print upon the official primary ballot of said party the name  
 of the said person . We further certify that the residence and  
 post-office address of the said person so endorsed ..... as  
 follows: (is or are)

<i>Name</i>	<i>Residence.</i>	<i>P. O. Address.</i>
.....	.....	.....
.....	.....	.....

and that the said person so endorsed ..... legally qualified under  
 (is or are)  
 the laws of this State to be nominated for the said office.

(Signature of Petitioners):

<i>Name</i>	<i>Residence.</i>	<i>P. O. Address.</i>
.....	.....	.....
.....	.....	.....
.....	.....	.....
.....	.....	.....
.....	.....	.....

STATE OF NEW JERSEY, }  
 COUNTY OF ..... } ss.

..... being duly ..... upon  
 (sworn or affirmed)  
 his ..... saith, that he is one of the signers of the  
 (oath or affirmation)  
 petition hereto annexed; that said petition is signed by each of the  
 signers thereto in his own proper handwriting; that each of such

signers is to the best of the knowledge and belief of this .....  
 (deponent or affiant)  
 a legal voter of the said election district, as stated in said petition,  
 and belongs to the political party named in said petition, and that  
 such petition is prepared and filed in absolute good faith for the sole  
 purpose of endorsing the person therein named in order to secure  
 ..... nomination as candidate for office as stated in said petition.  
 (his or their) ..... before me  
 (Sworn to or affirmed) .....  
 this ..... day .....  
 of ....., 1909. }

**Certificate of Acceptance of Nomination for Public Office.**

[This certificate must be annexed to the foregoing petition. See Section 260.]

I hereby certify that I am qualified for the office of .....  
 mentioned in the foregoing petition, and that I consent to stand as a  
 candidate for nomination at the ensuing primary election, and that  
 if nominated I agree to accept the nomination.  
 .....

**No. 27.—Petition Nominating Candidate for Position of Delegate.**

[See Sections 257, 259, 276.]

To .....  
 (City, borough, town or township clerk.)  
 Clerk of .....  
 (City, borough, town or township.)

We, the undersigned, hereby certify: That we reside in .....  
 election district in the ..... ward of the ....., and that we  
 (City, borough, town or township.)  
 are qualified voters therein; that we are members of the .....  
 party, and that at the last election for members of the General As-  
 sembly we voted for a majority of the candidates whose names were  
 printed upon the ticket of said party, and that we intend to affiliate  
 with the said party at the ensuing election; that we endorse the per-  
 son hereinafter mentioned as candidate for the position of dele-  
 gate to the ensuing ..... convention of the said  
 (State, congressional, county, assembly, city, etc.)  
 party; and we request that you print upon the official primary

ballot of the said party the name of the said person . We further certify that the residence and post-office address of the said person so endorsed ..... as follows:

(is or are)

Name.	Residence.	P. O. Address.
.....	.....	.....
.....	.....	.....
.....	.....	.....
.....	.....	.....
.....	.....	.....
.....	.....	.....
.....	.....	.....

and that the said person so endorsed ..... legally qualified under the laws of this State to act as delegate to the said convention.  
(is or are)

(Signatures of petitioners):

Name.	Residence.	P. O. Address.
.....	.....	.....
.....	.....	.....
.....	.....	.....
.....	.....	.....
.....	.....	.....
.....	.....	.....
.....	.....	.....

STATE OF NEW JERSEY, } ss.  
COUNTY OF .....

....., being duly ..... upon his .....  
(sworn or affirmed) (oath or affirmation)  
saith, that he is one of the signers of the petition hereto annexed; that said petition is signed by each of the signers thereto in his own proper handwriting; that each of such signers is to the best of the knowledge and belief of this ..... a legal voter of the said  
(deponent or affiant)  
election district, as stated in said petition, and belongs to the political party named in said petition, and that such petition is prepared and filed in absolute good faith for the sole purpose of endorsing the person therein named in order to secure ..... selection as delegate as stated in said petition.  
(his or their)

..... before me  
(Sworn to or affirmed)  
this ..... day  
of ....., 1909. }

**Plain Certificate of Acceptance of Nomination for Position of Delegate.**

[This certificate, or the next one, must be annexed to the foregoing petition.  
See Section 260.]

..... hereby certify that ..... qualified for the position  
(I or we) (I am or we are)  
of delegate to the convention mentioned in the foregoing petition,  
that ..... consent to stand at the ensuing primary election as  
(I or we)  
candidate for the position of delegate to the said convention, and  
that if chosen as such delegate, ..... will act as such delegate /  
(I or we)

.....  
.....

---

**Certificate of Acceptance of Nomination for Delegate, with Request  
That Name of Person Who is the Acceptor's Choice for  
Nomination at the Convention be Printed on Ballot.**

[This certificate, or the next preceding one, must be annexed to the last foregoing  
petition. See Section 260.]

....., the undersigned, hereby certify that .....  
(I or we) (I am or we are)  
qualified for the position of delegate to the convention mentioned  
in the foregoing petition, that ..... consent to stand at the  
(I or we)  
ensuing primary election as candidate for the position of delegate  
to the said convention, and that if chosen as such delegate .....  
(I or we)  
will act as such delegate ; that ..... request that the name of  
(I or we)  
..... be printed opposite ..... name on  
(my or our)  
the official primary ballot of the said party as ..... choice for  
(my or our)

.....  
(governor, congressman, senator, surrogate, sheriff, mayor, or as the case may be.)  
.....  
.....  
.....  
.....

### No. 28.—Notice of Time and Place of Primary Election.

[This notice must be given by the poll clerks by five or more copies of it posted at conspicuous places at least ten days before the primary election. *Section 268.*]

Notice is hereby given that a primary election for all political parties will be held in and for the ..... Election District, in ..... at ....., in said Election (city, township, or as the case may be) (location) District, on Tuesday, September 28th, 1909, between the hours of one and nine o'clock in the afternoon.

Dated August ....., A. D. 1909.

.....  
.....  
*Poll Clerks.*

### No. 29.—Official Oath of Officers Conducting Primary Election.

[This oath must be taken before opening the primary election. *Section 268.*]

STATE OF NEW JERSEY, COUNTY OF ....., ss.: I, ..... a member of the board of registry and election in and for the ..... Election District, in the ..... in said (city, township, or as the case may be) county, do solemnly swear that I will, to the best of my understanding and ability, conduct the primary election in and for said Election District, on the twenty-eighth day of September, A. D. nineteen hundred and nine, honestly and in accordance with the law, so help me God.

Sworn to and subscribed before me this }  
.....day of September, A. D. 1909. }  
.....

### No. 30.—Petition Nominating Candidate for Public Office. Direct Primary Act.

[See Sections 385 to 390.]

To .....  
Clerk of .....

We, the undersigned, hereby certify that we reside in the ..... of ....., and that we are qualified voters therein; that we are members of the ..... party, and that at the last election for members of the General Assembly we voted for the majority of the candidates whose names were printed on the ticket of the said party,

and that we intend to affiliate with said party at the ensuing election. That we endorse the person.. hereinafter named as candidate.. for the office therein named, and we request that you print upon the official primary ballot the name.. of the said person... We further certify that the residence and post office address of the said person.. so endorsed ..... as follows:

(is or are)

Office to be Filled.	Name of Candidate.	Residence.	Post-Office Address.
.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....

(Print or write all the above entries very plainly.)

We do further certify that the said person.. so endorsed .....  
(is or are)  
legally qualified under the laws of this State to be nominated for said office.

<i>Signatures.</i>	<i>Residence and Post Office Address.</i>
.....,	.....
.....,	.....
.....,	.....
.....,	.....
.....,	.....

STATE OF NEW JERSEY, }  
COUNTY OF ..... } ss.

..... being duly sworn, upon his oath deposes and says that he is one of the signers of the foregoing petition; that said petition is signed by each of the signers thereto in his own proper handwriting; that each of the signers thereto is, to the best of the knowledge and belief of this deponent, a legal voter of ..... county, as stated in said petition, and belongs to the political party named in said petition, and that this petition is prepared and filed in absolute good faith for the sole purpose of endorsing the persons therein named in order to secure their nominations as candidates for office, as therein stated.

Sworn to before me this }  
..... day of ....., 1909. }



# CERTIFICATE OF ACCEPTANCE.

We hereby certify that we are legally qualified for the offices for which we have been endorsed in the foregoing petition; that we consent to stand as candidates for nomination at the ensuing primary election, and that if nominated we agree to accept the nominations.

.....

.....

.....

(This blank can be used for nominating either county or municipal officers.)

# INDEX.

	PAGE.
Chronological Index of Duties, .....	3
Instructions Relative to the Duties of Officers and Voters.	
I. Dates of General and Local Elections, .....	11
II. The Governor, .....	11
III. The Secretary of State, .....	11
IV. County Clerk, .....	13
V. Township, City and Municipal Clerks, .....	14
VI. Nomination of Candidates.	
By party conventions, .....	15
By petition, .....	16
Vacancies, how filled, .....	16
When certificates filed, .....	16
Amendment of certificates, &c., .....	16
Acceptance of nomination, .....	17
When not required, .....	17
Certificates open to public inspection, .....	17
VII. Official Ballots.	
When required to be used, .....	17
Printed and distributed at public expense, .....	17
Separate ballots for each party, .....	17
How printed, .....	18
Number of ballots furnished, .....	18
How and when delivered, .....	18
Subject to inspection and errors corrected, .....	19
When lost or stolen, &c., how provided, .....	19
VIII. Official Envelopes.	
Printed how, &c., .....	19
Number to be provided, .....	20
When lost or stolen, &c., procedure, .....	20
Spoiled and unused, disposition of, .....	20
IX. County Boards of Elections.	
Appointment, .....	20
Term, .....	21
Oath, .....	21
Office, .....	21
Organization, .....	21
Publication of notice of registration, .....	21
Appointment of local boards, .....	21

	PAGE.
Issue of permits to agents, .....	22
Adding names to and erasing them from registers, ..	22
Registers for special local elections, .....	23
Preservation of affidavits, .....	23
Act as county board of canvassers, .....	23
Their compensation, .....	23
<b>X. District Boards of Registry and Election.</b>	
Members not eligible to other offices, .....	23
Constitution, Term and Oath, .....	23
Organization, .....	24
Power to administer oaths, .....	24
First meeting to register voters for general election in cities having over 30,000 inhabitants, .....	24
Second meeting for same purpose, .....	25
Third meeting for same purpose, .....	25
First meeting to register voters for general election in districts outside of cities having over 30,000 inhabitants, .....	25
Second meeting for same purpose, .....	26
Third meeting for same purpose, .....	26
Provision when local election falls on registry day for general election, .....	26
Registration of voters for elections other than gen- eral elections in cities having over 30,000 inhab- itants, .....	27
Registration of voters for township and local elec- tions outside of cities having over 30,000 inhabitants, .....	27
Registration by affidavit, .....	27
Proceedings to be open to public, .....	28
Certificate of removal of voter, .....	28
Conducting elections, .....	28
Preservation of order at polls, .....	30
Canvassing the vote, .....	30
Statement of result of general election, .....	31
Statement of result and determination of township or municipal election, .....	32
Disposition of ballot-box, keys and papers, .....	32
<b>XI. Privileges and Duties of Voters.</b>	
May attend meetings of local boards, .....	32
May have certificate of removal, .....	32
May have supply of official ballots, .....	33
Who may vote, .....	33
How to prepare his ballot and vote, .....	33
May vote although his name has been checked, .....	33
May be assisted if blind, &c., .....	34

	PAGE.
Shall not exhibit his ballot, &c., .....	34
Shall not accept bribe, .....	34
Proceedings when challenged, .....	34
Freedom from arrest, .....	34
<b>XII. Agents and Challengers.</b>	
Chairman of county committee may appoint, .....	34
Candidate by petition may appoint, .....	35
Their authority, .....	35
For municipal or local elections, .....	35
<b>XIII. Soldiers and Sailors.</b>	
Constitutional provision, .....	35
How vote may be cast, .....	35
Preservation of affidavits, &c., .....	36
Receipts to postmaster, .....	36
Blank forms and envelopes, how provided, .....	37
Penalties, .....	37
<b>XIV. County Canvassers.</b>	
Time, place and character of meeting, .....	37
How constituted and organized, .....	37
Adjournment, .....	37
County clerk to obtain missing statements, .....	38
Powers of county canvassers, .....	38
Statements of results of election, .....	38
Statements of determination, .....	39
<b>XV. State Canvassers.</b>	
Time and place of meeting, .....	39
How constituted and organized, .....	39
Vacancies, how filled, .....	40
Secretary of State to obtain missing statements, .....	40
Meeting to be public, .....	40
Powers of State canvassers, .....	40
Statements of result and determination of election, ..	40
<b>XVI. Recount of Vote, .....</b>	<b>41</b>
<b>XVII. Contested Elections.</b>	
Governor, .....	41
Legislature and Congress, .....	41
County, township, city and municipal offices, .....	41
<b>XVIII. The Legislature.</b>	
Election of members, .....	41
Apportionment of members, .....	42
Place of meeting, .....	42
Evidence of right of members to seats, .....	42
Vacancy, how created, .....	42
Vacancy, how supplied, .....	42

	PAGE
<b>XIX. House of Representatives.</b>	
Who not eligible, .....	43
When and how members are elected, .....	43
Election, how certified, .....	43
Vacancy, how supplied, .....	43
Congressional districts, .....	43
<b>XX. Presidential Electors.</b>	
Who not eligible, .....	44
Qualification, .....	44
When and how elected, .....	44
Election, how certified, .....	44
Time and place of meeting, .....	44
Vacancies, how supplied, .....	44
<b>XXI. Special Elections in Cities, Towns, &amp;c.,</b> .....	44
<b>XXII. Local or Charter Elections in Townships and Municipalities other than Cities, Towns, &amp;c.,</b> .....	45
<b>XXIII. First Elections in Newly-created Municipalities, &amp;c.,</b> ....	45
<b>XXIV. Incompatible Offices,</b> .....	45
<b>XXV. Election Districts,</b> .....	46
<b>XXVI. Expenses of Elections.</b>	
Compensation of district boards, .....	46
Compensation of county and municipal clerks, .....	47
Compensation of county boards, .....	47
General expenses, .....	47
<b>XXVII. Voting Machines,</b> .....	48
<b>XXVIII. Crimes and Penalties.</b>	
Secretary of State and clerk of State board of canvassers, .....	49
County clerk, .....	49
County board of canvassers, .....	50
District boards, .....	50
The printer, .....	51
General offenses, .....	51
<b>XXIX. Primary Elections.</b>	
Objects, .....	54
Time of, .....	55
Place of, .....	55
Voting places, booths, &c., .....	55
Nomination of candidates, .....	55
Nomination of delegates, .....	55
Election of county and city committee, .....	56
Nominations under direct primary act, .....	56
Nomination of delegates, .....	57
Notice of, .....	57
Official ballots, .....	57
Delivery of ballots, &c., .....	58

	PAGE.
Official oath, .....	58
How conducted, .....	58
Who may vote, .....	59
How to vote, .....	59
Assisting voters, .....	59
Registration of voters, .....	59
Challenges, .....	59
Canvassing ballots, &c., .....	59
Who elected delegates, .....	60
Procedure when candidate declines or dies, .....	60
Penalties, .....	60

**Forms.**

No. 1. Notice of election by Secretary of State to county clerk, .....	63
No. 2. Notice of election by county clerk to township, city and municipal clerks, .....	63
No. 3. General notice of election by township, city or municipal clerk, .....	64
No. 4. Certificate by Secretary of State to county clerk of names of candidates, .....	64
No. 5. Certificate by county clerk to Secretary of State of names of candidates, .....	65
No. 6. Notice by township, city or municipal clerk to district board of location of polling-room, .....	66
No. 7. Affidavit of voter for registration, .....	67
No. 8. Certificate of nomination by party convention, .....	67
No. 9. Certificate of nomination to fill a vacancy, .....	68
No. 10. Nomination by petition, .....	70
No. 11. Nomination by petition to fill vacancy, .....	71
No. 12. Certificate of appointment of district board, .....	72
No. 13. Certificate of county board that name has been added to register, .....	73
No. 14. Notice of application to county board to have name erased from register, .....	73
No. 15. Certificate of county board that name has been erased from register, .....	74
No. 16. Oath of members of county and district boards, .....	75
No. 17. Appointment of agent or challenger, .....	75
No. 18. Permit to agent or challenger, .....	76
No. 19. Certificate of removal of voter, .....	76
No. 20. Receipt for ballots and envelopes, .....	77
No. 21. Heading in poll-book, .....	77
No. 22. Entry in poll-book on adjourning for dinner, .....	78
No. 23. Entry in poll-book at close of election, .....	78
No. 24. Oath of person who claims assistance by reason of blindness, &c., .....	78









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